

ANNUAL TOWN REPORT



CHELMSFORD 1990

IN MEMORIAM

PAUL F. BARTEL

Planning Board
1972-1975

REGINALD M. LARKIN

Town Meeting Representative
Precinct 8
1989-1990

BESSIE LEWIS

School Committee
1949-1952

FREDERICK C. MARCKS

Town Meeting Representative
Precinct 5
1989-1990

JAMES J. McKEON

Sewer Commission
1972-1975

ANNUAL REPORT
of the
Town of Chelmsford



FOR THE YEAR ENDING DECEMBER 31,

1990

GENERAL INFORMATION

Incorporated	May, 1655
Type of Government	Town Meeting
Location	Eastern Massachusetts, bordered by Lowell and Tyngsboro on the North, Billerica on the East, Carlisle on the South, and Westford on the West. It is 24 miles from Boston, 40 miles from Worcester, and 225 miles from New York City.
County	Middlesex
Land Area:	22.54 Square Miles
Population 1990:	31,924
Assessed Valuation Rate 1990	\$2,411,242,369 (Real Estate)
	\$37,474,940 (Personal Property)
Tax Rate:	Flat Rate \$11.81
	(\$11.59 Residential—\$12.40 Commercial)
United States Senators in Congress:	
5th Congressional District	Chester G. Atkins, Concord
State Senator	Lucile C. Hicks, Wayland, MA
Representative in General Court	
16th Middlesex District	Carol C. Clevon, Chelmsford
Accounting Department	Monday thru Friday8:30 a.m.-5:00 p.m.
Assessors Office	Monday thru Friday8:30 a.m.-5:00 p.m.
	Monday Evenings7:00 p.m.-8:00 p.m.
	(Except June, July & August)
Board of Health	Monday thru Friday8:30 a.m.-4:30 p.m.
Highway Department	
Office	Monday thru Friday8:00 a.m.-4:30 p.m.
Garage	Monday thru Friday7:00 a.m.-3:30 p.m.
Public Libraries	
Adams Library	Monday, Tuesday & Wednesday ...9:00 a.m.-9:00 p.m.
	Thursday1:00 p.m.-9:00 p.m.
	Friday & Saturday.....9:00 a.m.-5:30 p.m.
Children's House	Monday, Tuesday & Wednesday ...9:00 a.m.-8:00 p.m.
	Thursday—Closed
	Friday & Saturday.....9:00 a.m.-5:30 p.m.
McKay Library	Monday & Wednesday1:00 p.m.-8:00 p.m.
	Tuesday1:00 p.m.-6:00 p.m.
	Thursday, Friday & Saturday .9:00 a.m.-1:00 p.m.
School Superintendent	Monday thru Friday8:00 a.m.-4:30 p.m.
Selectmen's Office	Monday thru Friday8:30 a.m.-5:00 p.m.
Town Clerk	Monday thru Friday8:30 a.m.-5:00 p.m.
	Monday Evenings7:00 p.m.-8:00 p.m.
	(Except June, July & August)
Tax Collector & Treasurer	Monday thru Friday8:30 a.m.-5:00 p.m.
	Monday Evenings7:00 p.m.-8:00 p.m.
	(Except June, July & August)
Veterans' Agent	Monday thru Friday8:30 a.m.-5:00 p.m.

MEETINGS

Annual Election	First Tuesday in April	9 Precincts
Annual Town Meeting	Last Monday in April	McCarthy Jr. High
Selectmen	7:00 p.m.-every other Monday	Town Offices
School Committee	7:30 p.m.-every other Tuesday	Parker School
Planning Board	7:30 p.m.-2nd & 4th Wednesday	Town Offices
Appeals Board	7:30 p.m.-4th Thursday	Town Offices
Conservation Commission	8:00 p.m.-1st & 3rd Tuesday	Town Offices
Board of Health	7:00 p.m.-1st Tuesday of month	Town Offices
Housing Authority	7:30 p.m.-1st Tuesday of month	10 Wilson Street

BOARD OF SELECTMEN



(Front) Henrick R. Johnson, Jr., Clerk; Bonita A. Towle, Chairman. (Rear) Bradford O. Emerson; Roger A. Blomgren; Dennis J. Ready, Vice Chairman.

The Board of Selectmen held their 1990 re-organizational meeting on Monday, April 9, 1990 following the Annual Town Election on April 3rd in which Selectman Roger A. Blomgren was re-elected for a third term. Bonita A. Towle was elected Chairman, Dennis J. Ready, Vice Chairman and Henrick R. Johnson, Jr. Clerk. Bradford O. Emerson and Mr. Blomgren held the fourth and fifth seats.

1990 was the first full year under the Charter, and the year proved to be a learning experience for all. Town Meeting Representatives were kept busy with five sessions of annual and special town meetings along with separate precinct meetings.

The Board accepted with regret the resignation of Ernest Day, who retired as Town Accountant after 15 years. Over fifty resumes were received for the position and in October the Board appointed Lorraine Leone.

The Board of Selectmen continued their active role in the Massachusetts Selectmen's Association, the Northern

Middlesex Council of Governments (formerly the Northern Middlesex Area Commission), the Middlesex County Advisory Board and the Massachusetts Municipal Association. Individual Selectmen also served as liaisons between the Board of Selectmen and various town and regional boards and commissions during the year.

Due to the fact that national and state legislative decisions have a great impact on Town affairs, the Board of Selectmen maintained regular contact with Congressman Atkins' office as well as with Senator Lucile Hicks and State Representative Carol Clevon. Senator Hicks was elected in a Special Election in May and then in the regular November election to replace Senator Carol Amick, who resigned in 1989. The Selectmen wish to express their gratitude to Congressman Atkins, Senator Hicks and Representative Clevon for their help and cooperation during the past year.

In closing, the Selectmen, on behalf of the citizens of Chelmsford, wish to express their gratitude to the various Town boards and committees for their accomplishments during the year. It should be remembered that these boards

and committees are composed of unpaid volunteers who take many long hours out of their free time to work on issues and projects that benefit the Town of Chelmsford. The Board would also like to recognize our competent and dedicated office staff of Judith Carter, Marian Currier, Beth Kinney and Elaine Casey, who joined the staff after the resignation of Mrs. Kinney.

Bonita A. Towle, Chairman
Dennis J. Ready, Vice Chairman
Henrick R. Johnson, Jr., Clerk
Bradford O. Emerson
Roger A. Blomgren

TOWN MANAGER

To The Citizens of Chelmsford:

The calendar year of 1990 represented the close of the decade of the roaring 1980's and the beginning of a more economically subdued 1990's. The last several years have been financially difficult, and we can easily foresee serious and substantial retrenchment and down sizing of Town Government in the years ahead. This condition reflects the regional private economy which prospered in the 80's but now lies in a deep recession.

These factors require that we find new and creative methods of financing and delivering governmental services. Often times such changes will not be popular to segments of the internal or external populations. However, it is clear in Chelmsford government, as well as Massachusetts government, that we can no longer afford to deliver services as we have done before. This is the challenge of the 90's.

The highlights of the calendar year 1990 include:

- Presentation of the first consolidated executive budget
- Preparation and townwide distribution of the first annual Citizens Guide to the Budget.
- Implementation of a trash user fee that while not popular, will insure cost recovery of this service

by the users. This action freed over \$1.5 million for other town services.

- The continuation of the Town's popular recycling program into a second year.
- Completion of comprehensive pavement management plans and drainage study.
- Settlement of the Police Contract.
- Continuation of the "civilianization" of the police dispatch function which will lead to a consolidated public safety dispatch center at a reduced cost.
- Transition of veterans agent to the Senior Center leading to a consolidated Human Service function unit at reduced cost.
- First billing of sewer users which will lead to full departmental cost recovery within 2-3 years.
- Collection of substantial sewer betterments which can be used in the future to offset debt cost of the sewer project and thereby reduce the tax rate.
- Creation of a consolidated Finance Department which will improve the coordination of our overall financial planning and our financial management.
- Implementation of a successful user fee based summer recreation program.

The consolidation of various Town departments is designed to reduce costs through staff and expense reductions, and by improving coordination that will eliminate duplications. The Town must continue to pursue such options thereby streamlining procedures and reducing overhead.

The implementation of user fees allows the Town to provide services without additional drain on the constrained Town Budget. With the current economic climate we must seek full cost recovery on all private and mixed good services that we provide.

The overall effect of the consolidations, user fees, and general management improvements will be maintained and improved services.

As I end the year, I wish to thank the Board of Selectmen and various individuals who work or worked in the Executive Office during the year particularly Judy Carter, Marian Currier, Elaine Casey, and Beth Kinney. I look forward to working for the Town in 1991 on your behalf.

BOARD OF REGISTRARS

Richard F. Burt, Jr.

Judith A. Olsson
Chairman

John F. Ketcham

Mary E. St.Hilaire
Ex Officio

Voting strength as of December, 1990

ENROLLED VOTERS

PRECINCT	DEMOCRATIC	REPUBLICAN	UNENROLLED	TOTAL REGISTERED
1	583	378	1,053	2,014
2	641	432	1,254	2,327
3	485	321	1,177	1,983
4	665	367	985	2,017
5	647	476	1,212	2,335
6	563	438	1,110	2,111
7	563	470	1,281	2,314
8	605	356	1,094	2,055
9	494	422	1,215	2,131
TOTALS	5,246	3,660	10,381	19,287

TOWN CLERK

<u>Sporting License</u>	<u>Dog Licenses</u>	<u>Kennel Licenses</u>	<u>Recorded Mortgages</u>
1315	3001	9	582
<u>Birth inc.</u>	<u>Deaths</u>	<u>Marriages</u>	<u>Intentions</u>
365	218	311	312

WARRANT FOR SPECIAL STATE PRIMARY ELECTION APRIL 3, 1990

MIDDLESEX, SS

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the inhabitants of said Chelmsford who are qualified to vote in the Special State Primary Election, to vote at:

- Precinct 1. Town Office Building Gymnasium
- Precinct 2. Harrington Elementary School Gymnasium
- Precinct 3. Harrington Elementary School Gymnasium
- Precinct 4. Westlands School Cafeteria
- Precinct 5. Byam School Cafeteria
- Precinct 6. Westlands School Cafeteria
- Precinct 7. McCarthy Middle School, Small Gymnasium
- Precinct 8. McCarthy Middle School, Small Gymnasium
- Precinct 9. Town Office Building Gymnasium

On Tuesday, the 3rd day of April 1990, being the first

Tuesday in said month, from 7:00 a.m. until 8:00 p.m., for the following purpose:

To bring in their vote in the Special State Primary Election for the following vacancy:

For the candidate for Senate in the General Court,
5th Middlesex District

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said election.

Given under our hands this 23rd day of March, A.D. 1990.

BOARD OF SELECTMEN
OF TOWN OF CHELMSFORD
Henrick R. Johnson, Jr. Chairman
Bonita A. Towle, Vice Chairman
Dennis J. Ready, Clerk
Bradford O. Emerson
Roger A. Blomgren

SPECIAL STATE REPUBLICAN PRIMARY APRIL 3, 1990

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	TOTAL
SENATOR IN GENERAL CT 5th Middlesex to fill vacancy										
Lucile "Cile" P. Hicks	151	130	181	157	262	206	243	174	177	1681
Markham H. Lyons	58	36	72	69	71	62	57	62	70	557
Blanks	3	4	4	6	8	5	6	6	0	42
TOTAL	212	170	257	232	341	273	306	242	247	2280

SPECIAL STATE DEMOCRATIC PRIMARY APRIL 3, 1990

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	TOTAL
SENATOR IN GENERAL CT 5th Middlesex to fill vacancy										
Joseph W. Mullin	197	142	175	209	200	198	177	187	161	1646
Robert J. Waddick	62	73	101	87	71	68	56	93	54	665
All Others	0	0	0	0	1	0	0	0	0	1
Blanks	8	7	7	10	9	13	11	10	3	78
TOTAL	267	222	283	306	281	279	244	290	218	2390

WARRANT FOR ANNUAL TOWN ELECTION APRIL 3, 1990

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, Viz:

- Precinct 1. Town Office Building Gymnasium
- Precinct 2. Harrington Elementary School Gymnasium
- Precinct 3. Harrington Elementary School Gymnasium
- Precinct 4. Westlands School Cafeteria
- Precinct 5. Byam School Cafeteria
- Precinct 6. Westlands School Cafeteria
- Precinct 7. McCarthy Middle School, Small Gymnasium
- Precinct 8. McCarthy Middle School, Small Gymnasium
- Precinct 9. Town Office Building Gymnasium

On Tuesday, the 3rd day of April, 1990, being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their vote for the following officers:

- One Town Moderator for three years
- One Selectman for three years
- One Member of Board of Health for three years
- Two Members of School Committee for three years
- One Cemetery Commissioner for three years
- Two Planning Board Members for three years
- Three Members of Public Library Trustees for three years
- Two Sewer Commissioners for three years
- One Sewer Commissioner for two years
- One Member of Housing Authority for five years

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said election.

Given under our hands this 23rd day of March, A.D. 1990.

BOARD OF SELECTMEN
OF TOWN OF CHELMSFORD
Henrick R. Johnson, Jr., Chairman
Bonita A. Towle, Vice Chairman
Dennis J. Ready, Clerk
Bradford O. Emerson
Roger A. Blomgren

TOWN ELECTION APRIL 3, 1990

*indicates cadidate for re-election

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	TOTAL
TOWN MODERATOR 3 yr										
Dennis E. McHugh*	410	423	488	473	549	512	536	452	435	4278
Blanks	153	110	131	126	170	150	144	133	133	1230
TOTAL	543	533	619	599	719	662	680	585	568	5508
SELECTMAN 3 yr										
Rose A. Sergi	92	143	122	109	124	110	113	137	92	1042
Roger A. Blomgren*	240	199	307	256	319	326	360	252	250	2509
Richard P. Tevlin	179	166	153	188	230	188	173	173	195	1645
Blanks	32	25	37	46	46	38	34	23	31	312
TOTAL	543	533	619	599	719	662	680	585	568	5508
BOARD OF HEALTH 3 yr										
Mark W. Gauthier*	385	388	457	449	510	472	478	423	409	3971
Blanks	158	145	162	150	209	190	202	162	159	1537
TOTAL	543	533	619	599	719	662	680	585	568	5508
SCHOOL COMMITTEE (2) 3 yr										
Samuel Poulton*	180	196	210	195	246	221	248	198	170	1864
Judith B. Mallette	330	249	366	356	510	427	431	284	358	3311
Jeffrey W. Stallard	121	194	154	137	143	107	122	167	119	1264
Mary E. Frantz	282	241	362	305	327	367	373	293	313	2863
Blanks	173	186	146	205	212	202	186	228	176	1714
TOTAL	1086	1066	1258	1198	1438	1324	1360	1170	1136	11016
CEMETERY COMMISSION 3 yr										
Charlotte P. DeWolfe*	401	409	474	456	537	490	498	436	407	4108
Blanks	142	124	145	143	182	172	182	149	161	1400
TOTAL	543	533	619	599	719	662	680	585	568	5508
PLANNING BOARD (2) 3 yr										
Thomas E. Firth Jr.*	312	319	373	427	433	405	386	342	347	3344
Eugene E. Gilet*	306	343	384	354	433	411	427	375	328	3361
All Others	1	0	0	0	0	0	0	0	0	1
Blanks	467	404	481	417	572	508	547	453	461	4311
TOTAL	1086	1066	1258	1198	1438	1324	1360	1170	1136	11016
TRUSTEES OF PUBLIC LIBRARY (3) 3 yr										
Suzanne E. White	240	156	223	251	322	254	259	191	281	2177
Elizabeth A. McCarthy*	346	268	365	341	439	423	447	341	348	3318
D. Lorraine Lambert*	324	346	419	374	420	395	429	409	312	3428
Lynda Reid Warren	245	305	306	249	313	285	303	301	261	2568
Blanks	474	524	544	582	663	629	602	513	502	5033
TOTAL	1629	1599	1857	1797	2157	1986	2040	1755	1704	16524
SEWER COMMISSION (2) 3 yr										
Robert E. Olson	207	143	162	201	177	181	173	159	124	1507
Robert E. Cole	67	59	92	100	104	118	100	69	112	821
Richard J. Day	130	201	197	178	223	186	211	236	173	1735
Paul F. Ahern	110	122	139	122	237	148	205	134	151	1377
Robert P. Joyce*	322	252	275	281	323	313	317	270	289	2642
Blanks	241	289	373	316	374	378	354	322	287	2934
TOTAL	1086	1066	1258	1198	1438	1324	1360	1170	1136	11016
SEWER COMMISSION 2 yr										
Jeffrey A. Brem	216	212	223	306	295	325	283	229	236	2325
John F. Souza	212	200	223	191	238	185	210	213	200	1872
Blanks	115	121	173	102	186	152	187	143	132	1311
TOTAL	543	533	619	599	719	662	680	585	568	5508
HOUSING AUTHORITY 5 yr										
Ruth K. Delaney*	395	395	432	469	496	479	476	422	395	3959
Blanks	148	138	187	130	223	183	204	163	173	1549
TOTAL	543	533	619	599	719	662	680	585	568	5508

SPECIAL TOWN MEETING APRIL 23, 1990

The Special Town Meeting was called to order at 7:35 p.m. at the McCarthy Middle School Auditorium, by the Moderator Dennis E. McHugh. There were 157 Representative Town Meeting members present.

The Moderator explained the rules and procedures of the Representative Town Meeting format. He pointed out the fire exits located within the hall.

Selectman Ready moved that the reading of the Constable's return of service and posting of the warrant be waived. It was so voted, unanimously. Selectman Ready moved that the reading of the entire warrant be waived. It was so voted, unanimously.

The Moderator then read a list of the students elected as participants to the April 26, 1990 Student Government Day activities. They are as follows:

Town Moderator	Jamie Athanasoulas
Board of Assessors	Evan Sheehan
Cemetery Commissioners	Lisa Podgur
	Judianne Rigazio
	Edward Morris
Cemetery Superintendent	Rebecca Edwards
Sewer Commissioners	Joe McNiff
	Bill Christie
	Mike Woodlock
Board of Health	Carrie Sougnez
	Melissa Quigley
Council on Aging Director	Jen Daly
Housing Authority	Dana Klayner
	Julie Wright
	Lisa Provencher
Superintendent of Streets	Rob Carey
Building Inspector	Daron Shields
Veterans Agent	David Smith
Wiring Inspector	Chad Woods
Superintendent of Buildings	Mike Todd
Superintendent of Schools	Hilary Ward
DPW Director/Town Engineer	Dan Willman
Town Manager	Rachel DeYoung
Finance Committee	Steve Datur
	Brent Popolizio
	Kim Monahan
Town Clerk	Laura Marcotte
Treasurer/Tax Collector	Brian Ritchie
Selectmen	Andria Mitsakos
	Sara Siljanker
	Amy Hiltz
	Richard Burr
	John Rega
Town Constable	Mary Schmidt
School Committee	Kim Marsella
	Eric Pearson
	Stephanie MacDougall
	Jennifer Kalos
	Donna Sartz
Planning Board	Karen Boss
	Josh Blagg
	Todd Lawrence

Library Trustee

State Senator

Police Chief

Ass't Police Chief

Fire Chief

Ass't Fire Chief

State Representative

Christine Maggio

Jason Smyrloglou

Patti Lee

Bridget Maloney

Michael Metivier

Brenda Carroll

Jeff Fuller

Frank Soracco

The Town Meeting body acknowledged them with a round of applause. The Moderator reminded the Town Meeting Body that absentee ballots were available at the Town Clerk's Office for the up coming Special Town and State Election on May 1st.

UNDER ARTICLE 1 Selectman Bonita Towle moved that the Town vote to accept the provisions of Section 41 of Chapter 653, Acts of 1989, relative to quarterly property tax billings.

Town Manager Bernard Lynch explained that the State passed an act which would allow the cities and towns to bill the residents of their communities quarterly for their property taxes. Presently the taxes are billed twice a year. The Finance Committee supported the motion. The Board of Selectmen were in favor of the article. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 2 Selectman Bonita Towle moved that the Town vote to accept the provisions of Section 40 of Chapter 653, Acts of 1989, relative to changes in assessment dates, for property tax billing purposes.

Town Manager Bernard Lynch explained that this will allow the Board of Assessors to extend the new growth assessment cut off date of January 1st to July 1st. This is one time revenue windfall which could result in \$50,000.00 in tax monies. The Finance Committee recommended the article. The Board of Selectmen also recommended the article. Robert Joyce asked how many other cities and towns have adopted this policy. Bernard Lynch said that it will be appearing on a lot of warrants this year. He knew that the Town of Andover and Lexington have accepted this. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 3 The Moderator read the article. The Town Manager explained that the Capital Planning Committee with his approval has prepared a list of projects. The money being used is left over from projects of previous years. He further explained that once a project is approved with a certain amount of money that is the only item that the money can be spent on. If a bid comes in higher than anticipated then the project needs to be voted more money or it is never acted on. If a project costs less than the money appropriated, then any money left over must be voted on at a town meeting and used for another capital planning project. The Town Manager and the Board of Selectmen moved to delete item 1, the Optech voting machines, \$34,600.00. And item 5, the pick up truck for the Sewer Department, \$11,000.00 for a total article figure of \$195,000.00. The Selectmen felt it would be better to wait and see what the results of the May 1st override questions would be. If layoffs or cut backs have to take place then extra vehicles may become available. The Finance

Committee is in favor of the motion to amend. The Town Manager was not in favor of deleting the pick up truck. He felt that there is a definite need. Presently there are two men and one truck. John Emerson of the Sewer Commission explained that the two employees very often have to be in different areas of the Town for hook ups or inspections, the Town is paying mileage to one employee for the use of his vehicle. William Spence spoke in favor of the deletions. He suggested that the Sewer Department obtain an old cruiser for transportation. Lorraine Lambert wanted the Optech voting machines to appear on the June 4th Town Meeting warrant. The Moderator explained that if there was a Capital Planning article on the agenda then she could amend the article by adding the voting machines to it. Further discussion took place. The Moderator asked for a voice vote on the motion to delete items 1 & 5, motion carried. Selectman Roger Blomgren moved to delete the remaining items in the article in their entirety. He felt that the items could be brought back at another time. The Finance Committee was not in favor of the motion. They felt that this was Capital Planning money being used, not operating money. Bernard Lynch explained that the money must be used for Capital Planning items only. The money cannot be put towards the budget or any other item. The unused money is gaining interest, the Federal government will soon be issuing penalties because it is not being used. Discussion took place. Town Treasurer James Doukaszewicz, who is also a member of the Capital Planning Committee went through the list explaining why each item appeared on it. The Moderator asked for a voice vote on the motion to delete the article, motion defeated. Robert Joyce moved to delete item 2, repairing the McCarthy Middle School tennis courts. The Finance Committee and the Board of Selectmen were against the motion. A discussion took place, a lot of people spoke for and against the motion to defeat. Was there a real need considering the present money situation? Concerns were expressed about the Town's liability if the courts are left unrepaired. Also this is one of the few public facilities in the town. Money has been invested already by building them. Barbara Ward moved the question to stop debate. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a voice vote on the motion to delete item, 2, motion defeated. He then went on to item 3. Andrew Silinish moved the question to stop any further debate on the entire article. The Moderator attempted a voice vote which failed, the following tellers came forward and a hand count was taken:

Richard McClure	Patrick Calnan
Robert Burns	Timothy O'Connor

The Moderator explained this is to stop debate on the article. The result of the hand count: Yes 109, No 37, $\frac{2}{3}$'s is 96 motion carried to stop debate. The Moderator asked for a voice vote on the article as amended minus items one and five, with the figure of \$195,000.00. Motion carried, unanimously. The article reads as follows:

Selectman Bonita Towle moved that the Town vote to transfer and appropriate the sum of \$195,000.00 from unexpended proceeds of amounts authorized for capital planning project expenditure, under Article 13 of Annual Town Meeting 1987, Articles 11 and 13 of Annual Town

Meeting 1988, and Articles 3 and 10 of Annual Town Meeting 1989, for the following purposes:

1. School Department Repair McCarthy Middle School Tennis Courts	\$60,000.00
2. Furniture for three classrooms	10,000.00
3. Public Buildings Mandatory removal or upgrade of oil tanks	25,000.00
4. Drainage Projects	75,000.00
5. Replace carpentering at Adams Library and Children's House	13,000.00
6. Pipe, ceiling, and lighting work in Adams Library	12,000.00
	<u>\$195,000.00</u>

Lorraine Lambert moved to reconsider the article. She wanted to add the Optech Voting Machines back into the article. The Finance Committee did not support reconsideration. There will be opportunity on another Capital Planning article to take up the question of the voting machines. The Board of Selectmen did not recommend reconsideration. It could be taken up at the Annual in June. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 4 Selectman Bonita Towle moved that the Town vote to transfer and appropriate the sum of \$204,319.00 from free cash in the Treasury to line item 141, County Retirement Assessment.

Town Manager Bernard Lynch explained this was the balance due from what was paid at the October meeting. The Finance Committee and the Board of Selectmen supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 5 The Moderator read the article. Chairman of the Sewer Commission Barry Balan explained the article. This would allow any condominium development with 200 or more units who do not front on public sewer, to be able to extend their private sewer line to the public sewer line and pay a privilege fee. The owners will be allowed to apportion these payments over five years including interest. As a result of apportionment a lien will be placed on each individual unit, which would guarantee five year's of payment to the Town. All other developments under 200 units and individual home owners who extend private sewer to public sewer and do not front public sewer, will have to pay the privilege fees up front before any connection is allowed, which would be 60% of the betterment fee. A lengthy discussion took place. Many questions were asked and answered. Richard DeFreitas moved the question to stop debate. The Moderator asked for a voice vote on the motion to stop debate, motion carried, unanimously. The Moderator asked for a voice vote on the article. Motion carried unanimously, and reads as follows:

Chairman of the Sewer Commission Barry Balan moved that the Town vote to amend the Chelmsford Sewer Commission Betterments Assessments and Sewer Privilege Fees, dated September 8, 1986, as prepared by Weston & Sampson Engineers, copies of which are on file with the office of the Board of Selectmen and Town Clerk as follows:

1. Under Section 3.2.2. subtitled "Non-Residential, Developed," delete subsection 3.2.2.2. and substitute the following in its place:

- 3.2.2.2. Non-residential buildings which are metered for water use shall comprise a number of sewer units based upon water consumption using the following formula:

Non-residential water usage equivalent

$$\frac{\text{in gallon per day (gpd)}}{300 \text{ gpd/sewer units}} = \text{number of sewer units}$$

(All decimal numbers shall be rounded up to the nearest whole number.)

Non-residential water usage in the above formula shall be based upon an average of the past two years water use. If less than two years of metered water consumption records are available, water use will be based on Title 5 (Part 2, Section 13) of the State Environmental Code for the Commonwealth of Massachusetts, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage.

2. After Section 3.2.4. subtitled "Non-Residential, Undeveloped," add a new section 3.2.5. subtitled "Dual Use Properties" and a new subsection 3.2.5.1. as follows:

3.2.5. Dual Use Properties

- 3.2.5.1. Properties having both residential and non-residential uses shall be assessed based on the total number of units for the residential portion and the non-residential portion, based on Section 3.2.1. and 3.2.2. respectively, with an allowance made for residential water use. Dual use properties shall have a minimum assessment of two sewer units.

3. Under Section 5.1. subtitled "Private Sewer Extension," delete the last sentence of the first paragraph and insert in its place the following:

Sections 4.2. and 4.5. of these regulations shall govern a property owner's method of payment.

4. Under Section 5.2. subtitled "Public Sewers on Unaccepted Ways," amend the subtitle to read "Public Sewers on Unaccepted Ways and Easements," delete the section in its entirety and insert in its place the following:

If a property abuts a private unaccepted way or easement within which a public sewer has been installed, or if a property lies within one hundred (100) feet of a public sewer located within a private or unaccepted way or easement, the Town shall assess a sewer privilege fee in lieu of a betterment assessment against

said property. The sewer privilege fee shall be equivalent to the betterment assessment value pertinent to said property as determined following procedures outlined in Section 3 of these regulations and shall be levied at the time of connection to the public sewer. Section 4.2. and 4.3. of these regulations shall govern the method of payment.

5. Under Section 5.3. subtitled "Compensatory Sewer Privilege Fee," delete the entire paragraph and insert in its place the following:

5.3 Compensatory Sewer Privilege Fee

In situations where (1) a betterment has been assessed to an undeveloped property based upon the estimated number of developable sewer units as required by these regulations and said property is ultimately developed to accommodate a number of sewer units in excess of the number estimated for determining the betterment assessment and (2) a betterment has been assessed to a developed parcel and later in time the use of that parcel is increased to accommodate a number of sewer units in excess of the number estimated for determining the betterment assessment, the Town shall assess a compensatory sewer privilege fee to reflect the increased use. This fee shall be equivalent to that sum of money that would have been charged as a betterment assessment upon the additional sewer units at the time of the original assessment. Sections 4.2 and 4.5 of these regulations govern the method of payment.

6. Apportionment of Privilege Fees

Property owners in condominium developments exceeding 200 units shall have the option to finance privilege fees through apportionment. The interest rate charged by the Town shall be 2 percent greater than the project bond rate being paid by the Town for the public sewer construction project in the area of the condominium development. Apportionment under this section shall not exceed 5 years and shall constitute a municipal lien on said property until the privilege fee is fully paid.

UNDER ARTICLE 6 William Dalton moved that the Town vote to approve the filing of a petition in the General Court for an act relative to Reduction in Ranks for certain Public Employees in the Town of Chelmsford, said act to be filed in the following form:

AN ACT RELATIVE TO REDUCTION IN RANK FOR CERTAIN PUBLIC EMPLOYEES IN THE TOWN OF CHELMSFORD

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section I: Notwithstanding the provisions of section thirty-three of the General Laws or the first sentence of section thirty-nine of Chapter thirty-one of the General Laws or of any other general or special law or rule to the contrary, if permanent employees of the fire force of the Town of Chelmsford serving in any position in a title above the lowest title on such force are to be separated from such positions because of lack of money or the abolition of such positions, they shall be separated from such positions according to their seniority in such title after permanent promotion in such force and shall be reinstated to such positions held by them according to such seniority; provided, however, that this section shall apply only to reductions in force resulting in demotions from titles above the lowest title on such force and shall not affect the seniority of any employee in service for any other purpose, including but not limited to, the separation of permanent employee from service on such force.

Section II. This act shall take effect upon its passage.

The Moderator read into the minutes a letter that was received from Mirick, O'Connell, DeMallie & Lougee, Law Office, where the Town's Labor Counsel is from, dated "April 20, 1990 to Thomas Horton, Esq. Ass't Town Counsel:

Re: Seniority Article on Chelmsford Town Meeting Warrant

Dear Mr. Horton:

This letter addresses our concerns regarding the proposal that an article be placed on the Chelmsford Town Meeting Warrant that would change the seniority rights of certain Town employees.

The Warrant Article provides that those permanent employees of the firefighting force of Chelmsford who serve in any position in a rank above the lowest rank on the force (firefighter) shall be separated from such positions according to their seniority in their rank after permanent promotion in the force. The provisions are applicable only when an employee is separated from his position because of lack of money or the abolition of his position. The Warrant provides that reinstatement shall be in the same manner.

The Collective Bargaining Agreement between the Town and Local 1839, IAFF, governing the terms and conditions of employment for firefighters, however, states that the seniority provisions of the Civil Service Law shall apply to all permanent employees of the firefighting force. The Civil Service Law provides that employees shall be separated from their positions according to their seniority in their department and not rank as proposed in the Warrant article.

The proposed change in seniority rights would, therefore, override the seniority provisions of the Collective

Bargaining Agreement and may constitute a prohibited practice by the Town under Chapter 150E of the General Laws (the "Act") by interfering with the collective bargaining contract. Seniority rights, and the manner of reducing the work force is a mandatory subject of bargaining under the Act. In a similar case involving mandatory subjects of bargaining, the Town of Bellingham bypassed the ongoing, collective bargaining negotiations with a Union and placed an Article on the Town Warrant which proposed changes in the hours and wages of town employees represented by the union. **Council 93 AFSCME and Town of Bellingham**, 9 MLC 1687 (1983). (Of course, it is well established that hours and wages of employees are mandatory subjects of bargaining.) The Commission found that the Town violated its statutory obligation to bargain in good faith. The Commission, citing an earlier case **Commonwealth of Massachusetts**, 4 MLC 1869, (1978) held, "a public employer cannot supersede the collective bargaining process by unilaterally placing a mandatory subject of bargaining before the Town Meeting and recommending passage before the parties have satisfied the bargaining obligation." 9 MLC at 1690.

While not completely free from doubt, we believe that the **Weymouth School Committee and NAGE**, 9 MLC 1091 (1982) case exception is not applicable to our issue because that case involved a local option law. In the **Weymouth** case, the Commission held that the Town did not violate its duty to bargain when it sought voter revocation of the Civil Service Statute because the Town Meeting has exclusive jurisdiction over the revocation of local option laws, thereby, no bargaining is required. In our case, the Union is not petitioning the Town Meeting to accept or revoke the seniority provisions of a local option law but the union is attempting to change the seniority provisions contained in the General Laws. Therefore, there is an obligation to bargain between the Town and Union over such change.

In the negotiations for the current agreement, the union proposed to eliminate from the agreement the provision which specifies that seniority rights would be regulated by Civil Service Rules. However, the parties, after bargaining over this issue, did not include the Union proposal in the current agreement. Now, the union, by petitioning the Town Meeting, appears to be attempting to secure from the Town Meeting what they could not achieve at the bargaining table. As expressed in **Commonwealth of Massachusetts**, 4 MLC 1869 (1978), "a party cannot supersede the collective bargaining process by unilaterally placing a mandatory subject of bargaining before the Town Meeting." The union's petition is, therefore, inappropriate.

Since the issue of seniority is a mandatory subject of bargaining, any change in the Agreement's provision regarding seniority would have to be accomplished through the collective bargaining process and not the Town Meeting. Therefore, the seniority issue should be referred to the Town Manager in his charter capacity as the Town's representative for collective bargaining. It should be noted, however, that since there is a current agreement between the parties, neither party has the right to force a modification of the Agreement at this time. The Agreement only

provides for modification at the end of the term of the Agreement.

If you have any further questions on this matter, please feel free to contact me.

Sincerely yours, D.M. Moschos"

The Moderator then asked the Town Council to determine if the article is proper. James Harrington, Town Counsel explained that this article came before the Town Meeting Body via petition. It meets all of the technical requirements for the town meeting vote to petition the General Court for a special act. He summarized the labor counsel's letter. "There is concerns that this is a negotiable item that has been negotiated between union and the Town. The Town's negotiation agent is the Town Manager and that there is a contract." He cited chapter 150E which states "that the Town Manager will negotiate on behalf of the Town, the Fire Department's union will have their negotiator, they will then come together with a contract which will be presented in it's entirety to the Town to be voted on." Labor Counsel in his letter is arguing the fact that this is an attempt to try to negotiate the contract on a piece meal basis before this Town Meeting. This is not the procedure that has been followed in the past and he questions the legality of this. It is Town Counsel's opinion "that in the event this Town Meeting should vote to petition the General Court for this special act, we would then ask the House Counsel to make a determination as to the legality. It is the recommendation of our labor counsel that the negotiation of any contract with any union in the town should be done at the negotiation table with the Town Manager who is our negotiating agent and the negotiating agent that is set forth by the union." James Boormeester came forward and stated that this article was submitted by him and had nothing to do with the Fire Department's union. He is a Captain on the Fire Department, and that this particular situation will effect him if there are any layoffs etc. Presently the civil service law states seniority is based on the date that you came on the force. The present structure of the Department is one chief, two deputies, and five captains, those are the only members that this particular article will effect. It will not effect the private firefighter, just the senior officers and no ones total seniority. Currently one deputy chief who has eighteen years on the force which includes nine years as deputy chief is considered the senior deputy. The second deputy chief has twenty-three years on the force which includes one year as deputy chief. Under the Civil Service law if one deputy chief's position was to be eliminated then the deputy chief with the least amount of years in total service, regardless of the amount of years in the position of deputy chief, will be reduced to the rank of captain. That will cause a trickle down effect throughout the captains. Currently Captain Boormeester who has thirteen years on the force which includes four as captain is third in rank. Another captain has 13 years and six months on the force with only one year as captain. If the deputy chief position is eliminated then that person will become a captain and Captain Boormeester would be returned to the ranks of firefighter because he has less years in service, even though he has held the captain position longer. Captain Boormeester discussed this with Carol Clevon the Town's State Representative,

who told him to approach the Town Manager to place this on the Town Meeting warrant as a homerule petition. The Town Manager felt that this should be a negotiated item to be bargained for. Captain Boormeester disagreed because the two deputy chiefs are non-union members. These positions are under the Personnel Board's jurisdiction. Only the captains are union members. The only thing ever discussed during negotiations was that if layoffs occurred then they would be based on years of service. He gave an example, if a layoff would occur even though he was a captain, if a private had more years of service then the private would stay on the force and he would be laid off. He didn't understand why the labor counsel questioned the article, through legislation the City of Springfield and Holyoke have already enacted this article. The Springfield wording is the same as this article. He has spoken to the two people with the longest years in service in the positions that could be effected and they agree it should be time in the grade not time on the job that determines demotion. He asked for the Town Meeting body's support. The Finance Committee did not recommend this article. They believe it is a negotiated item. Selectmen Ready said that the majority of the Board of Selectmen supported the article. They would like to see it in place, they agree that it is only fair that seniority be done within the job grade. They feel that it is good for the union and good for the town. James Sousa who is one of the Deputy Chief's confirmed that was said and asked for support. Town Manager Bernard Lynch stated that he agreed with the labor counsel's opinion. He feels that it is a collective bargaining issue. He feels that it will effect all members of the force, personnel and union members and that it could cause a violation of the contract. A discussion took place. Questions were asked if this was ever discussed during negotiations. Only the years of total service on the force would be determine for layoff were discussed. The issue of years in grade wasn't discussed as a factor. Samuel Poulten supported the article. He felt if there was a legal problem then let the House and Senate determine it. William Dalton said that all fifty-seven members of the Fire Department signed the petition and supported the article. More discussion took place.

Selectman Emerson moved the question. The Moderator asked if there was a need for further debate hearing none he asked for a voice vote on the motion, which left the chair in doubt. He asked for a show of hands, motion carried.

UNDER ARTICLE 7 Selectman Bonita Towle moved that the Town vote to convey for the consideration of \$18,025.00 all right, title and interest, if any, held by the Town in a certain parcel of land located off Riverneck Road in Chelmsford, containing approximately 5507 square feet of land, more or less and being the same property, more fully described as Parcel B, on a Plan of Land entitled "Plan of land in Chelmsford, Massachusetts prepared for the Chelmsford Cemetery Department, March 24, 1990, by McGlinchey Associates, Inc. on file with the Town Clerk.

Town Counsel James Harrington explained that Walter Arsenault, an abutter to the cemetery land was interested in purchasing the land. He had put an addition on his home and he needed the land in order to have his lot conform to the zoning. It was land that was to provide excess to Riverneck Road for expansion of the bank part of the

Pine Ridge Cemetery. A fee was negotiated subject to Town Meeting approval and contingent upon the ability of the Cemetery Commissioners to purchase other land for excess onto Riverneck Road. A purchase and sell has been negotiated. The Finance Committee because it had already been negotiated was in favor of the article. The Board of Selectmen supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 8 Selectmen Bonita Towle moved that the Town vote to authorize the Board of Selectmen to acquire in fee simple by purchase, eminent domain, or otherwise, for cemetery purposes, a certain parcel of land situated on Lexington Street, off Riverneck Road in Chelmsford described as lots 197 and 198 as shown on a plan entitled "Otis Adams Plan" recorded in the Middlesex North District Registry of Deeds, in Plan Book 7, Plan 27, containing 5,000 square feet of land more or less being the same premises conveyed to Peter Saras by Helen Saras in a deed dated October 31, 1988, recorded in the Middlesex North District Registry of Deeds in Book 2671, Page 532 and vote to transfer and appropriate the sum of \$3,750.00 from the Cemetery Improvement and Development Fund, to defray all necessary costs, fee and expenses in connection with the acquisition of said land.

Town Counsel James Harrington explained that the money from the previous article will be transferred to the Cemetery Trust fund and be used to purchase this land. The Finance Committee recommended the article, and noted that this is Cemetery Trust Funds monies being spent, not Town monies. The Board of Selectmen were in favor of the article. Motion carried, unanimously.

UNDER ARTICLE 9 Selectman Bonita Towle moved that the Town vote as required by Article 97 of Amendments to the Constitution of Massachusetts, to approve the filing of a petition in the General Court, for an Act authorizing a sewer easement crossing on conservation land off Mill Road, Chelmsford, said easement shown as Easement 65 P1 on a plan entitled Plan of Sewer Easement in Chelmsford, Ma, Phase IIB Sewers, dated February 1990, prepared by Richard F. Kominski & Assoc., Inc. on file with the Town Clerk.

A question was asked if this would affect the soccer fields. Chairman of the Sewer Commission, Barry Balan explained it would not, the line would be 150 feet away from the fields. The Moderator asked for a voice vote, motion carried, unanimously.

There being no further business at hand, the Moderator declared the meeting adjourned at 10:25 p.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

Town Manager Bernard Lynch, gave a presentation explaining the budget that will be on the June 4th Annual Town Meeting. He also explained where the Town would be financially if the two override questions did not pass at the Special Town Election of May 1st. Many questions were asked and answered.

WARRANT FOR SPECIAL STATE ELECTION MAY 1, 1990

MIDDLESEX, SS

To the Constable, or any other suitable person of the
Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are
hereby requested to notify and warn the inhabitants of said
Chelmsford who are qualified to vote in the Special State
Election, to vote at:

Precinct 1. Town Office Building Gymnasium
Precinct 2. Harrington Elementary School Gymnasium
Precinct 3. Harrington Elementary School Gymnasium
Precinct 4. Westlands School Cafeteria
Precinct 5. Byam School Cafeteria
Precinct 6. Westlands School Cafeteria
Precinct 7. McCarthy Middle School, Small Gymnasium
Precinct 8. McCarthy Middle School, Small Gymnasium
Precinct 9. Town Office Building Gymnasium

On Tuesday, the 1st day of May 1990, being the first Tues-
day in the said month, from 7:00 a.m. until 8:00 p.m.,
for the following purpose:

To bring in their vote in the Special State Election for
the following vacancy:

For the candidate for Senate in the General Court,
5th Middlesex District

Hereof fail not and make return of this warrant with your
doings thereon at the time and place of said election.

Given under our hands this 6th day of April, A.D. 1990.

**BOARD OF SELECTMEN
OF TOWN OF CHELMSFORD**
Henrick R. Johnson, Jr. Chairman
Bonita A. Towle, Vice Chairman
Dennis J. Ready, Clerk
Bradford O. Emerson
Roger A. Blomgren

SPECIAL STATE ELECTION May 1, 1990

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	TOTAL
SENATOR IN GENERAL CT 5th Middlesex to fill vacancy										
Lucile "Gile" P. Hicks	668	584	749	621	833	754	866	629	757	6461
Joseph W. Mullin	374	358	378	417	358	391	362	392	333	3363
All Others	0	0	0	1	2	0	0	0	0	3
Blanks	18	11	8	13	7	15	6	14	4	96
TOTAL	1060	953	1135	1052	1200	1160	1234	1035	1094	9923

On Friday, May 11th an out of the Country Ballot was opened and added to Pct 3's total of Lucile Hicks and the final total per MGL 54 sec 95/99

WARRANT FOR SPECIAL TOWN ELECTION MAY 1, 1990

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, Viz:

- Precinct 1. Town Office Building Gymnasium
- Precinct 2. Harrington Elementary School Gymnasium
- Precinct 3. Harrington Elementary School Gymnasium
- Precinct 4. Westlands School Cafeteria
- Precinct 5. Byam School Cafeteria
- Precinct 6. Westlands School Cafeteria
- Precinct 7. McCarthy Middle School, Small Gymnasium
- Precinct 8. McCarthy Middle School, Small Gymnasium
- Precinct 9. Town Office Building Gymnasium

On Tuesday, the 1st day of May, 1990, being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their vote for the following questions:

Question 1: Shall the Town of Chelmsford be allowed to assess an additional \$1.4 million in real estate property taxes for the purposes of funding the Town's municipal and public schools operating budgets for the fiscal year beginning July 1, 1990?

YES
NO

Question 2: Shall the Town of Chelmsford be allowed to assess an additional \$1.8 million in real estate and personal property taxes for the purposes of funding municipal/household solid waste collection for the fiscal year beginning July 1, 1990?

YES
NO

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said election.

Given under our hands this 6th day of April, A.D. 1990.

**BOARD OF SELECTMEN
OF TOWN OF CHELMSFORD**
Henrick R. Johnson, Jr., Chairman
Bonita A. Towle, Vice Chairman
Dennis J. Ready, Clerk
Bradford O. Emerson
Roger A. Blomgren

SPECIAL TOWN ELECTION MAY 1, 1990

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	TOTAL
QUESTION 1 (1.4 Million)										
Yes	482	444	664	487	630	575	708	503	592	5085
No	605	636	546	590	643	657	615	605	580	5477
Blanks	13	7	4	9	8	13	7	10	4	75
TOTAL	<u>1100</u>	<u>1087</u>	<u>1214</u>	<u>1086</u>	<u>1281</u>	<u>1245</u>	<u>1330</u>	<u>1118</u>	<u>1176</u>	<u>10637</u>
QUESTION 2 (1.8 Million)										
Yes	498	342	655	451	595	602	729	431	561	4864
No	590	739	556	625	673	628	586	676	610	5683
Blanks	12	6	3	10	13	15	13	11	5	90
TOTAL	<u>1100</u>	<u>1087</u>	<u>1214</u>	<u>1086</u>	<u>1281</u>	<u>1245</u>	<u>1330</u>	<u>1118</u>	<u>1176</u>	<u>10637</u>

ANNUAL TOWN MEETING JUNE 4, 1990

The Annual Town Meeting was called to order at 7:40 p.m. at the McCarthy Middle School Auditorium, by the Moderator Dennis E. McHugh. There were 155 Representative Town Meeting Members present.

The Moderator pointed out the fire exits and explained that the warrant articles as posted is just the notice of action to take place. The motion is the actual wording of the article that will be presented and voted on during the meeting. He further explained the rules and procedures of amending and voting on articles.

Selectman Bonita Towle moved that the reading of the Constable's return of service and posting of the warrant be waived. It was so voted, unanimously. Selectman Towle moved that the reading of the entire warrant be waived. It was so voted, unanimously.

Chairman of the School Committee Wendy Marcks asked permission from the Moderator to allow Superintendent William Mullen and Thomas Carroll to be able to address the body if need be from time to time concerning any and all school issues. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 1 Selectman Bonita Towle moved that the Town vote to hear reports of the Town Officers and Committees.

Town Manager Bernard Lynch explained that the Fiscal Policy Advisory Committee was established per Special Town Meeting vote in October of 1989. The Committee was to investigate the financial conditions of the Town and to make recommendations to the Board of Selectmen/Town Manager on the appropriate action needed to solve the fiscal crisis problem. He read an excerpt from the committee's final report:

The Fiscal Policy Advisory Committee recommends:

- (a) that the town officials work, in cooperation with other communities, to force the Commonwealth of Massachusetts to provide predictable levels of funding, and to fully fund mandated programs.
- (b) that the Board of Selectmen or the appropriate body actively consider whether the Town should withdraw from participation in the Nashoba Valley Technical School and instead "tuition in" students and cover transportation costs as required by law.
- (c) that the Board of Selectmen investigate Alternative Service Delivery Mechanisms: (for example, privatization, regionalization).
- (d) that the Olde Town Hall be sold or leased to receive revenue of approximately 1% per year of its assessed value.

- (e) that the North Town Hall be sold or leased and that the revenues received from said sale or lease be applied towards the funding of Town budget in FY 93.
- (f) that the Center School be retained as Town property and continue to be leased.
- (g) that the Town officials accurately determine the number of business vehicles principally garaged in Chelmsford and take appropriate action to ensure maximum tax revenues.
- (h) that the appropriate body increase various fees, permits and licenses to the maximum allowed by law and, where no limit has been established, to a reasonable amount in order to attain full cost recovery within every department.
- (i) that trash collection be supervised by the appropriate existing department and become self-supporting.
- (j) that Sewer Betterment Revenue be applied to the operating budget of town government.
- (k) that the Town Officials initiate an outreach program to businesses which about the Town sewer line, giving business owners the option to tie into the line for the appropriate fee.
- (l) that all Town boards work for legislation which will have a fair and equitable classification structure for business and industry.
- (m) that Town Meeting be delayed until June to allow sufficient time for accurate determination of state and allocations and resulting shortfalls in order to support informed decisions with respect to the Town budget.
- (n) that there be an April ballot question for an override of Proposition 2½ for an amount equal to the remaining budgetary shortfall.

Samuel Poulten moved that the report be accepted as read. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 2 Selectman Bonita Towle moved that the Town vote to raise and appropriate the sum of \$4,680.00 with which to meet bills of previous years.

Town Manager Bernard Lynch, explained that this was a housekeeping article. This was a contractual obligation from 1986 which had to be paid. The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARTICLE 3 Selectman Bonita Towle moved that the Town vote to raise and appropriate the sum of \$22,500.00 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

Town Manager Bernard Lynch, explained that this was for the Fiscal Year 1991 audit. It was required by law to be done. The Finance Committee supported the motion. Roger Blomgren asked how this was going to be done? Town Manager Bernard Lynch explained that the money would come from the general fund. Roger Blomgren asked the body to defeat the article and have the money appear in the budget article. He feels that this is a standard operating expense and it should be listed as such and not be a separate article. Bernard Lynch explained that it could appear in the budget or as a separate article. It has been acted on as an article in previous years. The Moderator asked for a voice vote, which left the chair in doubt. He then asked for a show of hands, motion carried.

UNDER ARTICLE 4 Town Treasurer James Doukaszewicz moved that the Town vote to authorize the Town Treasurer to enter into compensatory balance agreements, during Fiscal Year 1991, as permitted by General Laws, Chapter 41, Section 53F.

Town Treasurer James Doukaszewicz explained the article. The Finance Committee and the Board of Selectmen supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 5 Town Treasurer James Doukaszewicz moved that the Town vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1990, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44 Section 17 and 17(a).

Town Treasurer James Doukaszewicz explained that come August and February of each year the Town must borrow against the monies anticipated from the tax revenues. Now that the quarterly tax bills are going to go into effect beginning July 1st and depending on when the state aid money arrives, the Town may not have to borrow in the fall. The Finance Committee supported the article. The Board of Selectmen were in favor of the article. Motion carried, unanimously.

Selectman Bonita Towle moved to postpone action under articles 5, 7, & 8 until 7:30 p.m. on June 18, 1990. Robert Sexton questioned if this motion could be debatable. The Moderator explained that if an article is postponed to a certain time then it is debatable, however, if an article is just tabled, then it cannot be discussed and a vote must be taken immediately. Town Manager Bernard Lynch explained that these articles are budget items that can and should be delayed until the result of the state aid monies from the court case can be established. He feels by June 18th the Town should know the status. Dwight Hayward of the Finance Committee said that the Finance Committee is in favor of the motion because of the state aid question and the information will be right up to date on the local receipts taken in. Edward Cady moved to amend the motion to include in the postponement of articles 6, 7, & 8, articles 13 and 14. The Finance Committee does not recommend adding articles 13 & 14 to the motion. They

feel that these two articles do not pertain to monies and can be dealt with immediately. Articles 6, 7 & 8 could possibly take up the entire evening of June 18th. The body shouldn't put off acting on any article unless it is necessary because of the time factor. The Town must have a balanced budget in place by July 1st in order to operate. The Moderator asked the Board of Selectmen for their opinion on the motion to delay. Selectman Towle asked to hear the proponent's reasoning. Edward Cady explained that these two articles pertain to the trash situation. He received a lot of calls, people are confused and concerned about the proposed tag and bag system, and the yearly fee. If these articles are delayed perhaps a change may be instituted. The Board of Selectmen supported the motion to delay these two articles. Michael Anthony of the Solid Waste Advisory Committee explained that these two articles are about adopting mechanisms to be used in order to handle the trash situation, not the proposed tag and bag system. Robert Sexton spoke in favor of the amendment to postpone articles 13 & 14. He feels that they do deal with the budget, specifically the trash issue. Whatever happens in the budget affects these two articles. He explained why he wanted this motion to be debatable and amendable. He hoped it would provide feedback to the officials who now may want to reconsider some of their previously held positions. Samuel Brink asked the Town Manager to explain his recommendation of where the 1.1 million will be best spent, there are two or three areas that need more money, what would his plan be. Bernard Lynch first explained that he didn't have a stand either way on the postponing of articles 13 & 14. They are in fact just implementation mechanisms for solid waste users fee. They are not absolutely necessary and essential for a solid waste user's fee to be put in place. Solid waste user's fee can be put in place without these articles. These are some mechanisms for putting some teeth into the fee system. As for the 1.1 million dollars coming from the Brookline decision, this money is what the Department of Revenue terms as a one time windfall to the town. The Town's share of local aid will not increase by 1.1 million dollars for fiscal year 1991 or every year thereafter. The 1.1 million dollars if it does come about, will constitute certifying the free cash for the Town at the close of the year 1990. By spending that money on operating budgets we are essentially teetering along the pattern that may have been faulted in the past of spending every dime we have. It has been his position publicly that the money be spent in a way that will reduce our costs in the future. That can be done in one or two ways. One, put the entire amount towards the capital budget therefore borrowing less, which would have an effect on our debt service for the next four years. Two, the other possibility would not be utilizing the sewer betterment fees, which he had proposed in the budget and keeping those fees in a separate account to be used towards paying sewer construction costs in the future, thereby decreasing the debt service in that area. The remaining monies will fund the capital improvement budget that is proposed in article 8, thereby decreasing the debt service costs in the future. He feels that it is important that the Town get its fiscal house in order. We just don't have the money at the current time to keep funding all the programs and services we have in the past. There has to be another way around that and if we could he feels that the money should be used from this windfall to set ourselves on the right road to the future.

Selectman Emerson supported the Town Manager, but he feels that the choice is up to the town meeting representatives. If the money does arrive, then the town meeting body may decide to spend it in some other way, it is their privilege. If they want to spend it on the trash, they have that choice and that's why he supported the motion to delay articles 13 & 14. Selectman Ready felt that this issue was going to be an involved lengthy debate and discussion. It may change the current plans or it may not. By discussing the articles tonight then they will get the opportunity to discuss the trash issue, and to get a sense on where the Town Meeting Body wants to go. It is the Town Meeting's decision and if it is going to be a lengthy debate, we might as well start it now. John Emerson, of the Board of Health, spoke in favor of delaying articles 13 & 14. Currently the Board is creating rules and regulations concerning the trash issue. It would enable them the opportunity to be better prepared to answer any questions on the enforcement issue. Thomas Moran spoke in favor of delaying the two articles. A discussion took place. The question was raised whether we could be able to complete all the articles on June 18th. The Town Manager explained that if need be the town meeting body will meet as much as necessary to complete all the articles so that a budget is ready for July 1st. The town meeting body does have the final say. He explained that the Town Meeting body could eliminate the 1.8 million dollars in the budget and put it back to 0, which would take the Town out of the trash business entirely. Or by not accepting the Offset Receipts of 1,542,600. that would eliminate the receipt coming in with the fee collection and would throw the budget out of balance by 1.5 million dollars. That is the power that town meeting has, the opportunity to make the decision as to how trash is going to be paid for. More discussion took place. Mark Gauthier spoke against postponing article 13 & 14. Scott McCaig moved the question to stop debate. The Moderator asked for a voice vote on stopping debate, motion carried, unanimously. He then asked for a voice vote on the motion of including articles 13 & 14 to the motion of postponed articles 6, 7 & 8. This voice vote left the Chair in doubt, he then asked for a show of hands, motion carried. Robert Joyce questioned the vote. The Moderator asked for the following tellers to come forward and conducted a hand count:

Helen Manahan, Marc Vandenbulcke, Robert Scharn, and Michael McCall. The result was Yes 46 No 101, motion defeated.

He then went on and asked for a voice vote on the motion to postpone action under articles 6, 7 & 8 until Monday June 18th. Motion carried.

UNDER ARTICLE 9 Selectman Bonita Towle moved that the Town vote to raise and appropriate the sum of \$20,000.00 for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting.

Town Manager Bernard Lynch explained that this is the second year of a ten year contract. The Finance Committee supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 10 Selectman Bonita Towle moved that the Town vote to accept the provisions of the General Laws of Massachusetts Chapter 44, Section 53E, an act authorizing cities and towns to appropriate certain anticipated receipts.

Town Manager Bernard Lynch explained that this allows the use of various receipts from certain budgets. The three budgets involved are the Trash, Recreation and Sewer. The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 11 Frank Peterson moved that the Town vote to transfer the sum of \$18,000.00 from the sale of graves and lots to the Improvement and Development Fund of the Cemetery Department.

Frank Peterson, Superintendent of the Cemetery Department explained that this is a housekeeping article. It is done annually, money is taken from the sale of the lots and graves and used to improve the cemeteries. The Finance Committee was in favor of the article. The Board of Selectmen supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 12 Selectman Bonita Towle moved that the Town vote to amend the General By-Laws, Article VII, Miscellaneous, Section 1, Regulation of Dogs, by deleting Paragraph 5, License Fees, and substituting in its place the following:

The fee for every dog licensed shall be a:

Ten Dollars (\$10.00) for every neutered male dog.
Ten Dollars (\$10.00) for every spayed female dog.
Ten Dollars (\$10.00) for every male and female dog.

Determination of licensing eligibility, dogs not required to be licensed, or refunding license fees shall be determined as set out in section 139.

The fee for every kennel license shall be as follows:

Twenty Dollars (\$20.00) for every kennel license for 4 dogs or less.
Forty Dollars (\$40.00) for every kennel license for over 4 but not over 10 dogs.
Seventy-five dollars (\$75.00) for every kennel license for over 10 dogs but not over 25 dogs.

All fees shall be increased by Five Dollars (\$5.00) on the first day of the second month following the required licensing period, as outlined in Section 3 (a) of this By-Law, and by an additional Five Dollars (\$5.00) on the first day of each succeeding month.

In addition to all other sums due and owing for any license fee hereunder, a person who applies for license hereunder shall be obligated to pay all prior amounts of license fees determined to be due and owing by the Town Clerk pursuant to this By-Law, for past periods in which said person was obligated to obtain license. It shall be a

violation of this By-Law to fail to pay any said sum due hereunder this remedy shall be cumulative.

Town Manager Bernard Lynch explained that the present fee is \$5.00 per year for a dog license. This would increase the fee to \$10.00 per year for a dog license. The increase would pay the salary for the full time Dog Officer. The Finance Committee recommended the article. This was part of the Fiscal Policy Advisory Committee recommendation to increase fees. John Conrad expressed concerns about the amount of dogs roaming his neighborhood. Robert Joyce questioned the fee amounts. Why were the spayed and neutered fee's the same as the unspayed and unneutered. Bernard Lynch explained that this is how the by-law was established and amended in 1987. Sandra Kilburn questioned why the homeowners fee was being increased and not the kennel licenses. Bernard Lynch said that most of the dogs are owned by private homeowners, however, if the Town Meeting Body wanted to increase the kennel fees he would be in favor of this. The Moderator asked if there was any further discussion, hearing none he asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 13 Selectman Bonita Towle moved that the Town vote to accept the provisions of Chapter 40, Section 58 of the Massachusetts General Laws authorizing the Town of Chelmsford to impose a municipal charges lien on real property for failure to pay solid waste fees by an established due date.

Town Manager Bernard Lynch explained that in 1987 the General Court passed an act which would allow the cities and town to be able to impose a municipal charge lien for any unpaid fees. A lien would be placed on the property to insure payment of various fees. This would be used as a mechanism to enable the town to put strength into its collection process. The town would have to specify and vote which fee this would be used for, that is why this article says the solid waste fee. The Finance Committee recommended the article. The Committee is not taking a position one way or the other on how the trash issue should be collected. Robert Joyce moved to indefinitely postpone consideration of the article. The Moderator questioned the wording of the motion. Due to the fact that the word indefinite is being used, he felt that maybe instead of postponing the article he would want to table it. If it is tabled without a specific time, it would be indefinite. If the word postpone is used then he must specify another time when it is to be brought back up for discussion. Robert Joyce agreed to table the article, he wanted to discuss the motion, the Moderator then explained that tabling an article cannot be discussed, no debate can take place. Town Counsel's opinion was asked, James Harrington concurred with what the Moderator said. Robert Joyce withdrew his motion. Discussion took place concerning the method of attaching the lien. A number of representatives spoke against the article because it specified a fee to be charged for collecting the solid waste. Richard DeFreitas said that a fee is different from a tax. A fee is a charge for services rendered, there is a choice. If not paid, service will not take place. With a tax there is no choice, it must be paid. It is a payment for services which are expected to take place. Therefore liens should only be placed against property for

non-payment of taxes, not for non-payment of fees. Michael Anthony of the Solid Waste Advisory Committee spoke about the article and the proposed tag and bag system. This article is not necessary in order to implement the new system. It will only allow the Town to attach those households who use the proposed system and do not pay the users fee. Richard Codling spoke against the article. He said mistakes do happen. Unknown to him a sewer lien was attached to his property, even though he paid everything up front, it was his responsibility to go to the Registry of Deeds and pay for the lien to be removed from his title. James Doukszewicz, Town Treasurer explained that this will not be filed at the Registry of Deeds against a homeowner's property. It will be filed in his office like non-payment of water bills are. When property is sold, a request must be made to his office for a municipal tax lien. That is when the lien will show up, not at the Registry of Deeds. Robert Sexton moved to amend the article by deleting the s in charges and deleting the words lien on real property. The Moderator asked for the Town Counsel's opinion on the motion to amend. Town Counsel ruled the motion illegal. Robert Sexton explained that he was advised to bring forth that particular wording in the next article, he urged the body to vote this article down. Richard DeFreitas moved the question to stop debate. The Moderator asked for a voice vote which left the Chair in doubt. The tellers came forward and conducted a hand count. Yes 110 No. 30, $\frac{3}{4}$'s was 94, motion carried. The Moderator asked for a voice vote on the article, which left the Chair in doubt, he asked for a show of hands, motion defeated.

UNDER ARTICLE 14 Town Manager Bernard Lynch explained that this by-law will be the mechanism used to assure that those households using the Town's solid waste contract and system will pay the annual user's fee. If an individual homeowner has proof of using another company, then a fee will not be assessed. The Finance Committee supported the article. Michael Anthony of the Solid Waste Advisory Committee spoke about the article. A discussion took place, Mark Gauthier who is also a member of the Board of Health expressed his concerns with the article. He also said that because article 13 has been defeated, the Town has no way to charge people who use the system illegally. If bags of trash are left around the Town, then it will be the Town's responsibility to pay the cost of picking them up and disposing of them. The only way the fine could be enforced that is mentioned in this article is to have an employee of the Board of Health, or the DPW, open the bag and search through it looking for information on where the trash came from. He felt that article 13 should be brought back for reconsideration, then the Town would have more control over any and all abuse of the system. He questioned if he could have the article reconsidered at this time, he didn't want to stop any debate on the present article. The Moderator assured him that any debate would be temporarily suspended until a vote is taken. Mark Gauthier moved to reconsider article 13. The Finance Committee supported the motion. The Board of Selectmen did not want the article reconsidered. The Moderator asked for a voice vote on the motion to reconsider article 13, motion defeated. A lengthy discussion took place. Robert Joyce questioned what type of proper documentation would be

acceptable? Bernard Lynch explained that a paid receipt or a contract showing that the trash is being properly cared for. Robert Joyce asked if a resident like himself who was already paying for a dumpster at a location in town would that contract qualify as proof? It would be allowable in his case, Bernard Lynch said. Robert Joyce then questioned people leaving trash bags around his dumpster, why should he pay for the removing of these bags. John Emerson from the Board of Health explained that presently there are laws on the books that are enforceable provided that the person can be caught. However, these laws must be tightened up. William Spence spoke against the proposed tag bag system. Scott McCaig questioned the Town Manager if the tag bag system could really work, then what is the need for this by-law, why not wait and see if it is needed. Bernard Lynch said he felt that this system could work, but a back up provision is needed to assure the enforcement, he felt that it would avoid any problems in the future by having this by-law already in place. Selectman Ready spoke about the trash issue. He felt that because the override question failed people wanted to encourage recycling and pay for what they use and that the Town should try this system. More discussion took place. Richard DeFreitas moved to amend the article. He felt that people were against the wording: "\$100.00 for each offense, Each day thereafter." He moved to amend it to say, Violation of this by-laws it pertains to illegal use of the Town provided trash collection services shall be \$100.00 for each offense and each subsequent offense. He then explained the motion. The Moderator questioned why the last sentence wasn't just dropped, it would accomplish the same as the motion. Town Counsel James Harrington said that the wording of the amendment is questionable. Bernard Lynch explained that its not a hundred dollar fine for every day that a person does not come down and show proper documentation. It's a fine for each offense of using the town's service but not paying the fee. If someone doesn't register and doesn't put a bag out there is no fine. Town Counsel stated that from listening to the discussion if the last sentence is dropped from the original motion it would accomplish the purpose of the amendment. Richard DeFreitas then moved to withdraw his original motion and submitted a new motion to remove the last sentence in paragraph b. The Finance Committee and the Board of Selectmen supported the new motion. The Moderator read the article in its entirety and left off the last sentence. He then asked for a voice vote on the motion to amend, motion carried. Thomas Mills of the Solid Waste Advisory Committee spoke and clarified some information about the solid waste contract. More discussion took place concerning the user's fee and the proposed bag and tag system. The Town Manager explained that when the budget article comes up for discussion, the Town Meeting members will be making the final decision on whether to accept the budget as presented or decide what services will be cut to fund the trash budget. Richard DeFreitas moved to table this article. Barbara Ward moved to adjourn the meeting until Monday, June 11, 1990. The Moderator asked Town Counsel which motion took preference first for voting purposes. The Moderator was told to act on the motion to table the article first, then take a vote on the motion to adjourn. The Moderator explained that if the motion to table article 14 is defeated then that will be the first article to be acted on when the meeting reconvenes. He asked for a voice vote

on the motion to table article 14, which left the chair in doubt, he asked for a show of hands, motion defeated. The Moderator then asked for a voice vote on the motion to adjourn to Monday, June 11th to the McCarthy Middle School Auditorium. William Dalton wanted to make a statement. The Moderator told him that he would have to wait until after the vote on the motion to adjourn. The Moderator asked for a voice vote on the motion to adjourn, motion carried, unanimously. William Dalton then announced that the Governor had signed the bill concerning Captain James Boormeester's homerule petition relative to the reduction in rank, which was voted at the April 23rd Special Town Meeting. He thanked the Town Meeting body for their support. The meeting adjourned at 11:20 p.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

ADJOURNED ANNUAL TOWN MEETING JUNE 11, 1990

The Annual Town Meeting was called to order at 7:40 p.m. at the McCarthy Middle School Auditorium, by the Moderator Dennis E. McHugh. There were 141 Representative Town Meeting Members present.

The Moderator went over the rules and regulations of the Town Meeting procedure.

The Moderator then announced to the town meeting body that Anna Meiander, who was a member of this year's Chelmsford High School graduating class of 1990, as an AFS Student from Finland, perished today in an automobile accident. She was an outstanding woman of whom the Finnish country could be proud of. He asked for a moment of silence pray on behalf of Anna Meinader.

UNDER ARTICLE 14 Con't from ATM 6-4-90
Selectmen Dennis Ready explained the different circumstances if this article does or doesn't pass. The Moderator then read the entire article as it was amended, which was the deletion of the last sentence "Each day that such violation continues shall constitute a separate offense." Kathleen Hillman then moved to amend the article to read:

Section 5. Municipal Waste Collection

A. All residents, with the exception of those having private collection such as the condominiums, trailer parks structure or complexes with five or more dwelling units shall use the Town provided solid waste collection services which shall be the system we presently have for a total sum of \$188.00 per year—payable quarterly \$47.00. This set fee will remain the same until the present contract with BFI runs out at the end of FY1992. At that time the trash services may be reviewed and renegotiated, so as to receive the best service and cost for the residents of Chelmsford. Residents have the option of private collection, providing the town is provided with proper documentation.

B. Violation of this by-law shall be punishable by a fine of \$10.00 per month for each month that the fee is not paid.

The Moderator asked for Town Counsel's opinion. Town Counsel, James Harrington, recommended that this by-law not be voted tonight. He cautioned that the wording didn't seem correct and that not enough proper time went into it in order to make it enforceable. The Finance Committee does not support the motion based on Town Counsel's recommendation and the fact that they didn't want to be locked into a specific amount. William Goodhue spoke against the amendment and the article. He wanted to allow the private haulers into town and then just charge them a tonnage fee, regardless if it's commercial or residential. That fee could be used to pay for the municipal and school trash and the recycling program. It would be easier to keep track of five or six hauler's rather than a thousand households. Then everyone would be paying for the trash problem. He felt that a more reasonable method should be adopted. William Logan asked Kathleen Hillman where did she get the dollar amount from. She said it was from the prior week's discussion and the information put out on the override. Joel Karp who became involved with the bag and tag trash issue, spoke about the article. He said that he wanted to see his trash picked up. He wants it disposed of in the most proper and economical way. A system has been devised that will do this. The problem with this proposed amendment is that you can't specify what the cost is going to be because its not mandatory participation, it's still a user's fee with options. It doesn't cover the cost. With the tag and bag system the cost for having BFI stop at each household is mandatory, after that each household will pay only for the amount of trash they put out. Michael Anthony spoke against the motion to amend. Richard DeFreitas expressed a need for a simpler system. Thomas Mills who is on the Solid Waste Advisory Committee, wanted to discuss the fix fee issue mentioned in the amendment. He went over information he had prepared. He felt that there is more bureaucracy involved in the bag and tag system than the quarterly billing system. There are four major costs which make up the bag and tag trash issue. Trash collection, bulk collection and administration. He listed the estimated cost for each with comparison figures. Jeffrey Stallard moved the question. Motion carried unanimously. The Moderator asked for a voice vote on the motion to amend. Motion defeated. Scott McCraig moved to postpone this article until the completion of article 8. The Finance Committee and the Board of Selectmen were not in favor of the motion to postpone. The Moderator asked for a voice vote on the motion to postpone. This left the Chair in doubt, he asked for a show of hands, which still left the Chair in doubt, the following tellers came forward and a hand count was taken:

Helen Manahan, Marc Vandenbulcke, Robert Scharn, and Michael McCall. The result was Yes 45 No 88, motion defeated to postpone the article Jeffrey Stallard moved the question. Motion carried, unanimously. The Moderator asked for a voice vote on the article, which left the Chair in doubt. He asked for a show of hands, still in doubt the tellers came forward and conducted a hand count. The result was Yes 81 No. 50, motion carried. The article reads as follows:

Selectman Bonita Towle moved that the Town vote to amend the Article VIII, Waste Disposal of the General By-Laws by adding Section 5 as follows:

Section 5. Municipal Waste Collection

(a.) All residents, excepting those in structures or complexes with five or more dwelling units, shall use the Town provided solid waste collection services unless the Town is provided with proper documentation that solid waste is being disposed of in accordance with all applicable municipal, state and federal laws. It shall be unlawful for any resident to use town provided solid waste collection services without paying the applicable fee for such services.

(b). Violation of this By-law shall be punishable by a fine of One Hundred Dollars (\$100.00) for each offense.

UNDER ARTICLE 15 Selectman Bonita Towle moved that the Town vote to accept the following mentioned street, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk.

1. Shedd Lane (partial)
2. Moore Street (partial)
3. Sears Lane
4. Thomas William Lane

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and move that the Town vote to raise and appropriate the sum of \$4.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

Town Manager Bernard Lynch, explained that these streets had met the layout requirements of the Planning Board and Town Engineer and once released the residents on the streets mentioned would be eligible for town services. The Finance Committee supported the article, James Sousa asked what did the word partial indicate after two of the streets. The Town Manager explained that the contractor is required to file a bond and must show the Planning Board "as built plans" when these developments are brought before them. The streets with the word partial after them, have been developed as shown on the plans where all the homes have been built. The Town is only releasing part of the bonds for each street. The rest will be released upon the completion of the streets. Kay Roberts spoke in favor of the article and asked for the town meeting support. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 16 Chairman of the Sewer Commission, Barry Balan explained the article. The residents in the area asked for an evaluation to be done in order to see if the Sewer Commission will extend the service. In order for this to be done certain criterias are established and must be met. Such as, area support for a petition, intensity of existing septic system problems, ability to repair or reconstruct septic systems, likelihood of grant funding costs, and also the possibility of constituting a health problem. The number of homes represented in each area were counted as were the number of homeowners signing the petition. Areas where greater than 50% of the homes were represented on the petition received further consideration. Those petitions with greater than 80% support were also acknowledged. The Board of Health records were used to determine the intensity of actual septic system failure and repairs in the petitioned areas. Inability to rebuild or repair is a major criteria used by the funding agencies to determine eligibility for grant funding. The ability to repair or reconstruct is based upon lot size, soils, slope and ground-water conditions. All petitions to date were reviewed based upon the assumption that lateral sewer (50%) funding would be available. Presently, the state intends to replace 50% grants with low interest loans. The construction costs are included in the overall billing program. Twelve petition areas were received in 1989, only four have met the established criterias and are being recommended. This is the first time that appropriation for an area is being asked outside of the twenty year plan which had been outlined in 1984. As with previous appropriations a ballot question is required to exempt this appropriation from the limitations of proposition 2½. The Finance Committee recommended the article. This is an ongoing two part program. The Board of Selectmen supported the article. Jeffrey Stallard questioned the financial status of the department. What has been appropriated and spent? Approximate to date sewer construction overall costs is about 24 million dollars of which a little over 13 million has been grant funded. A discussion took place. Ann Graham questioned the wording of the article. She felt it should include contingent upon the Town voting to certify from the limits of proposition 2½. Town Counsel James Harrington explained that the motion does not require this additional wording, but according to state statute, this wording must be on the ballot question. Ann Graham questioned the management of the funds and the betterments fees. The betterment fees shouldn't be applied to the general fund, according to the Weston and Sampson report. The sewer funding was to be 80% from taxes and 20% from the betterment fees. When she was researching her information on the sewer projects in order to get answers, she was told by the Sewer Commission to submit her questions in writing. John Emerson of the Sewer Commission explained that the Sewer Commissioners and personnel have extended every courtesy for the requested information. He listed the areas and the costs involved. Barry Balan also explained that all the Sewer Commission records are open to the public. Any citizen is more than welcome to view them in the office, if questions or assistance is needed the office personnel handles it. This policy has been extended within reason, to everyone and numerous times to Mrs. Graham. Weston and Sampson Engineering, the consulting firm handling the sewer project has also answered Mrs.

Graham's inquiries. However, today upon returning Mrs. Graham's phone call this afternoon, she wanted to come right down to the office and have some questions answered. At that point, she was told to submit any and all questions in writing to the Sewer Commissioners. Mr. Balan explained that he is not a Sewer Commissioner by profession, he does have another job which enables him if need be to drop by the sewer office. In the past, arrangements had been made when all parties were able to meet and go over certain things. Mrs. Graham said she would be glad to go over the records herself. When she went to a meeting all she wanted to know was what has been spent to date, she felt she should have been told a dollar amount, she was told nothing. Kathy Rigsby is one of the residents on the petition, she has put in two septic systems in the last five years. Her lot will not hold any more systems. She is surrounded by wetlands. Judith Haas asked for support because of the environmental factor, she too has had problems in the past with her leaching field. Bernard Ready one of the petitioner's also asked for support. His neighborhood was in desperate need. Dennis Ready stated that there is a definite need in these petitioned areas. The criteria was there when he was on the commission. Roger Blomgren moved to amend the article by adding to the end the wording "any appropriation under this article shall be allowed only upon a specific exemption under prop 2½." Roger Blomgren explained this would avoid any confusion on how the article would be funded, the particular wording clarifies that question. The Finance Committee supported the article. The Board of Selectmen supported the motion to amend. The Moderator asked for a voice vote, motion carried. Discussion took place. Questions were asked on why these areas weren't included in the original plan. It was explained that when the original surveys were sent out people didn't respond. Selectman Emerson moved the question, motion carried, unanimously. The Moderator asked for a voice vote on the article as amended. Motion carried unanimously. The article reads as follows:

Chairman of the Sewer Commission, Barry Balan, moved that the Town vote to appropriate the sum of \$3,100,000.00 for the purpose of designing and constructing sewers, pump stations and force mains to serve Cathy Road, Jonathan Lane, McIntosh Road, Clover Hill Drive, Burning Tree Lane, Country Club Drive, DeWolf Drive, Green Valley Drive, Drew Circle and Parker Road from Hall Street to Green Valley Drive; to pay for related legal, administrative and other pertinent expenses; to authorize the Sewer Commission with the consent of the Board of Selectmen to acquire by purchase, eminent domain or otherwise all easements and rights concerning land necessary in conjunction with the project; that to meet this appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow \$3,100,000.00 under M.G.L. Chapter 44 as amended and supplemented, and to issue and sell general obligations bonds or notes of the Town therefore; that the Sewer Commission be authorized to apply for, accept and expend any state and federal grants and/or loans, and private monies that are made available for the project; that betterments shall be assessed based on the sewer construction in accordance with the applicable provisions of the General Laws of the Commonwealth and the Town of Chelmsford Betterment Assessment and Pro-

viage Fees Rules and Regulations. Any appropriation under this article shall be allowed only upon a specific exemption under proposition 2½.

UNDER ARTICLE 17 Chairman of the Sewer Commission, Barry Balan moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simply with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and show on a set of plans entitled plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIB Sewers, prepared for the Chelmsford Sewer Commission February, 1990 by Richard F. Kaminski and Associates, Inc., a copy of which is on file in the office of the Town Engineer and are incorporated herewith; for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto.

Sewer Commissioner Barry Balan, explained that approval of this article is needed in order to assure that the Town receives nearly \$4,000,000 in grant funding during June of 1990. With the funding programs shifting from grants to loans after July 1, 1990, it would be unadvisable to delay approval of this article and thus lose \$4,000,000 of state funding. The Finance Committee supported the article. The Board of Selectmen supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 18 Chairman of the Planning Board, Thomas E. Firth, Jr. moved that the Town vote to delete Section 1424 (g) of the Chelmsford Zoning By-Law and substitute in its place the following: All site plans submitted to the Planning Board for review must be accompanied by a check for the fee to cover expenses incurred by the Town during the site plan review process. The fee shall be based on the size of the proposed building(s) and shall be \$50.00 per 1,000 square feet (or portion thereof) of gross floor area with a maximum fee not to exceed \$1,000.00. The Planning Board may also retain the services of an independent consultant as it deems necessary for assistance in evaluating a specific problem of concern. In this case, the fee charged by the consultant shall be paid by the applicant through the Planning Board.

Chairman of the Planning Board, Thomas E. Firth Jr. explained the purpose of the article. The present fee schedule is \$200.00 per special permit. Site plan for a major business complex is \$400.00 for a 10,000 square feet building. This changes it to be \$50.00 per 1,000 square feet (or portion thereof), of gross floor with a maximum fee not to exceed \$1,000.00. The Planning Board may also retain the services of an independent consultant as it deems necessary for assistance in evaluating a specific problem or concern. In this case the fee charged by the consultant shall be paid by the applicant through the Planning Board. He then read the Board's recommendation: The Planning Board held a public hearing on April 11, 1990 and voted in favor (7-0) of the proposal to change the zoning by deleting in its entirety Section 1424 (g) and replace it with the new section 1424 (g). The Finance Committee and the

Board of Selectmen were in favor of the article. The Moderator asked for a voice vote on the article. Motion carried, unanimously.

UNDER ARTICLE 19 The Moderator read the article. Kathleen Hillman, the petitioner explained the purpose of the article. In 1988 when the original by-law was passed at the Special Town Meeting in September, the wording of "including the soft catch trapping system" was inadvertently left out. Chelmsford was the first town to pass such a by-law, since then fourteen to sixteen other towns have passed the by-law with the complete wording. The Moderator asked for the various recommendation. Dwight Hayward Chairman of the Finance Committee, stated that because there was no financial impact involved they were not going to comment one way or the other. The Board of Selectmen were split, two were for the article and two were against, one was absent when the vote was taken. A discussion took place. Jeffrey Stallard moved to amend the article by deleting the wording "including the soft catch trapping system" and insert the word "unlicensed" before the word "person" in section 1 of the article. More discussion took place. The Finance Committee would not recommend one way or the other. The Board of Selectmen wanted to hear further discussion. George Abely wanted to amend the amendment by adding "provided said person has written permission of the selectmen or landowner." A lengthy discussion took place. Renee LaRouche spoke against the article and in favor of the amendments. Dennis Ready moved the question. Motion carried, by voice vote. The Moderator asked for a voice vote on George Abely's motion, which left the chair in doubt. The tellers came forward and conducted a hand count. Yes 65 No 53, motion carried. The Moderator started to take a voice vote on Jeffrey Stallard's motion, when Norman LeBrecque asked a point of order. He was concerned that the wording possibly contradicted itself and asked for clarification. The wording of "it should be prohibited and unlawful, provided that they get permission" he felt that the word "unless" should be included. George Abely was called forward and a discussion took place between himself, Jeffrey Stallard and Town Counsel. Which resulted in a new motion to amend the amendment: Delete George Abely's wording that was just passed and add a sentence to read: "Any person wishing to trap shall have the written permission of either the landowner or selectman." More discussion took place. Mary Frantz asked if this meant that the Selectmen could give permission for someone to trap on the homeowner's land. George Abely explained that all he wanted was for the Selectmen to be able to take care of the public land and the homeowner to take care of their land. The Moderator questioned the wording and asked for Town Counsel to again clarify it. The new wording of the motion is: "Without the permission of the landowner, or of the Selectmen in the case of public land." This would be the last sentence on the motion. Dennis Ready moved the question. Motion carried, unanimously. The Moderator then asked for a voice vote on the Abely motion. Motion carried. He then asked if there was any discussion on the Stallard motion. David McLachlan, member of the Conservation Committee urged for the defeat on this motion to amend. Harry Foster spoke in favor of the motion to amend. Jeffrey Stallard moved the question. Motion carried, unanimously. The Moderator asked for a voice vote

which left the chair in doubt, he then asked for a show of hands, motion defeated. The decision was questioned, the tellers were asked to come forward and conduct a hand count. Result of the hand count: Yes 32 No 82, motion defeated. Richard DeFreitas moved to amend the article by deleting the wording "including the soft catch trapping system," and adding the wording "without the permission of the landowner or the selectmen in the case of public land." He explained that it was different from the Stallard motion because the word "unlicensed" before the word person is not included in this amendment. A discussion took place, Dennis Ready moved the question. Motion carried, unanimously. The Moderator asked for a voice vote on the motion, which left the chair in doubt, he asked for a show of hands motioned defeated. Dennis Ready moved the question which would stop any further debate on this article. Motion carried. The Moderator asked for a voice vote, which left the chair in doubt. He asked for a show of hands, motion carried. The article reads as follows:

Kathleen Hillman moved that the Town vote to amend the General By-Law Article VI, Police Regulations, Section 22, Prohibition of Trapping by Means of the Leghold and Conibear Trap, by deleting Paragraph 1, and substitute in its place the following:

It shall be prohibited and unlawful for any person to set, trigger, activate, or otherwise use or cause to be set, triggered, activated or use any type of modification of any steel jawed, leghold trap, including the soft catch trapping system, or any form of jaw trap or conibear trap for the capture of any animal.

UNDER ARTICLE 20 Selectman Bonita Towle moved that the Town vote to amend the General By-Law Article II, Town Meeting, by deleting Section 1, Time of Annual Town Meeting and substituting in its place the following:

The Annual Election shall be held on the First Tuesday of April and the Annual Town Meeting shall be held on the last Monday in April and the first Monday in October.

Town Manager Bernard Lynch explained that this change is taking place in order to meet the requirements according to the charter. The Finance Committee supported the article. The Moderator asked for a voice vote. Motion carried, unanimously.

UNDER ARTICLE 21 Stratos Dukakis of the Nashoba Valley Technical High School District Committee, moved that the Town vote to accept provisions of Section 12 of Chapter 188 of the Acts of 1985, the SCHOOL IMPROVEMENT ACT, in relation to the Equal Education Opportunity Grant in the amount of Seventeen Thousand Nine Hundred Twenty Dollars (\$17,920.00) for the Nashoba Valley Technical High School, conditioned upon the funding of said programs by any source other than the Town of Chelmsford, and further conditioned upon, to the extent permitted by law, that said professional grant programs, and any monies paid to any employee of the Nashoba Valley Technical High School, shall not be used or considered a past practice for the purpose of collective bargaining and shall be nonrecurring lump sum payment

not built into school employees salary schedules; or act in relation thereto.

Town Manager Bernard Lynch explained that this is an annual housekeeping article. It is required in order to obtain the EEOG grants provided by the state. The Finance Committee supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

Selectman Bonita Towle moved to adjourn the meeting until Monday evening June 18th to the McCarthy Middle School Auditorium. Motion carried, unanimously. The meeting adjourned at 10:45 p.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

ADJOURNED ANNUAL TOWN MEETING JUNE 18, 1990

The Annual Town Meeting was called to order at 7:40 p.m. at the McCarthy Middle School Auditorium, by the Moderator Dennis E. McHugh. There were 150 Representative Town Meeting Members present.

The Moderator went over the procedure that will be used on voting the budget items. According to the Finance Committee warrant book, there are a total of thirty-one line items. Within these line items, there are nine categories. Any discussion will be directed to the numbered line items, which is the total budget figure of the category shown. The individual departmental figures shown are for informational use only. He gave an example by explaining, the non-numbered salary figures shown under the General Government Category, make up the total budget figure shown for line 1. Salary. Therefore, when the vote is taken it will be based on the numbered line items only.

UNDER ARTICLE 6 the Moderator read the article without giving any figure at this time. He then asked the Town Manager for any introductory remarks.

The Town Manager Bernard Lynch, explained that this is the first time that the budget is being presented in the departmental fashion as shown. He feels this will be the most useful way to present it each year. This is one of the major changes that has come about with the passage of the charter, that there will be a comprehensive consolidated executive budget. He took the time to go over some of the issues that are before the Town, himself, the department heads, Board of Selectmen and the Finance Committee. He went over the budget presentation package for FY91 that he had prepared. He mentioned the budget process, which is an ongoing process. It's not something that is put together in a couple of weeks and then put before the body for a vote. He listed the various steps taken to make up this budget. He mentioned the FY91 Budget goals, Revenue Comparisons. He listed the revenue changes that had taken

place since this budget was prepared: Cranberry Bog Reimbursement, \$431,250.00, Level Funded Local Aid, \$451,317.00, Brookline Decision, \$1,155,753.00 and Misc. Adjustments, \$145,432.00. He felt that certain expenditures should now be changed, and he listed them. As a result of the amended figures shown within the report he proposed that the total FY91 budget be \$45,378,801. After the transfers from the Cranberry Bog reimbursement of \$431,250.00 and the sale of real estate the net operating budget would be \$44,848,551.00. At the end of the presentation, the Town Manager received a round of applause. The Moderator then read a motion to amend the budget by the Town Manager. Town Manager Bernard Lynch, moved that the Town vote to amend the proposed budget as follows:

1. Reduce General Government Expenses by \$50,000 (sick Buyback)—Line Item 2.
2. Increase Chelmsford School Department by \$300,000—Line Item 6
3. Increase Public Safety Salaries by \$77,317—Line Item 8 as follows:
Fire \$60,000 Police \$17,317
4. Increase Snow and Ice by \$100,000—Line Item 16
5. Increase Community Services (Human Services) Salaries by \$3,500 (Health Department) Line Item 17
6. Increase Community Services (Human Services) Expenses by \$3,000 (Elder Affairs Meals on Wheels)—Line Item 18
7. Increase Community Services (Culture and Recreation) Salaries by \$52,872—Line Item 21 as follows
Recreation \$37,872 Library \$15,000
8. Increase Community Services (Cultural and Recreation) Expenses by \$4,003 (Recreation)—Line Item 22
9. Amend Community Services (Cultural and Recreation) by adding Recreation Offset Receipts of \$39,375.
10. Debt and Interest Delete Transfer Special Revenue—Sewer Betterments \$700,000 Insert Transfer Special Revenue Cranberry Bog Reimbursement \$431,250.

The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the Town Managers proposed budget and the motion to amend. The Board of Selectmen recommended the motion. The Moderator asked for any discussion hearing none he asked for a voice vote, motion carried, unanimously. Bernard Lynch then moved to amend under General Government Line Item 1 Salaries by increasing it \$10,400, to read \$771,004, and decreasing Line Item 2 Expenses by

\$10,400, to read \$4,921,631. He explained that this would add a half of clerk to the Town Clerk's Staff for six months. This position had originally been eliminated and will be retained for the next six months. The Finance Committee and the Board of Selectmen supported the motion to amend. The Moderator asked for further discussion, hearing none he asked for a voice vote, motion carried unanimously. He then asked for any discussion on line item 1-5 under General Government. Barry Balan moved to vote on the entire budget as present by the Town Manager. He felt that it's been pared down enough. The Finance Committee was not in favor of voting on the entire budget because of the trash users fees involved and the need for discussion. They felt that perhaps the entire budget could be voted on in its entirety excluding the trash issue. The Moderator asked for Town Counsel's opinion. James Harrington, Town Counsel declared that this could be considered. The Moderator read the revised motion: To vote on the Manager's budget with the exclusion of the trash monies. A discussion took place. Barry Balan withdrew his motion.

Questions were raised on why just the numbered line items were being allowed discussion and not all the line items. The Moderator explained that what has been done at previous Annual Town Meetings since proposition 2½ has been enacted, was all numbered line items were opened for discussion. A final vote was taken at the conclusion of all discussion concerning the entire budget. If a vote was taken at each numbered line item, then the meeting adjourned to another night, according to Town By-laws, that business could not be brought back for discussion or amendments. By waiting to take the vote at the end of the last numbered line item, any adjustments could be made if need be. Unless instructed to do otherwise, he was going to proceed with this process of discussion at only the numbered line items. As explained at the beginning of the meeting, any item not numbered is for informational purposes only. A discussion followed. A number of representatives spoke against discussion taking place only at the numbered line items, and not being able to vote on each line item. The Town Manager explained that by voting the total figures for each line item within the category allows him the flexibility to move money from one department to another. If he feels better management is needed. However, it can only be done to those line items within the departmental category. He couldn't take monies from Public Safety category, and put it into the Finance Department. He would have to take it within the General Government category. Robert Sexton said that he felt that the representatives wanted to make sure that the money is spent on each department's line item as shown, and not let it be moved around. Thomas Moran brought up the closing the Fire Station in West Chelmsford. He felt that this needed detail discussion before any action took place. The Town Manager explained that the representatives could only vote on the money figures, not the policy on how it was going to be spent. That was left up to the Board of Selectmen, Town Manager, or the actual department head if the situation need be. Cheryl Boss of the Finance Committee, explained that this is how the School Department handles its budget, they are voted a certain amount of money to work with, however, they spend it is up to them, Town Meeting has no say on where the money is to be actually spent. At

the Finance Committee meetings all departments and the Town Manager presented detail information explaining where the money allocated would be spent. Donald Ayer moved that the Town Meeting Representatives approve each Departments budget and its total. And that we not approve general totals for sections. Town Counsel, James Harrington, ruled this motion out of order. More discussion took place. Selectman Roger Blomgren proposed that the Town Meeting proceed through the budget item by item. Selectman Bradford Emerson agreed much time has been wasted and felt this would be a better approach, and so moved for this to be done.

The Moderator then proceeded to read each informational non-numbered line item, beginning with the Executive Office the Town Manager/Selectmen through the Planning Board reading each line item, and ask if any need for discussion under each. Under the Employee Benefits heading, discussion took place. Richard Codling commented on the Chapter 32B Insurance costs. The Town Manager explained that he is working on trying to lower costs. However, it is a cost that he has no control of. The rates are set by the insurance companies. Ann Graham felt that we should be downsizing general government, not increasing it. Some employee's have been given 12% to 16% increases in salaries over the years. We were lead to believe last year they were only getting 2½% when in reality they are given 5%. She hasn't seen this being done and used the Accounting Office as an example. She noted that since 1980 there has been four employees in the Town Accountant's Office. When in prior years there was only three employees. Mary Villare, Ass't Accountant corrected her and said that since 1972 there has always been three clerks and one Town Accountant. The Town Manager explained that the employees under the Personnel Board and the employees clerical union are required to have yearly evaluations. With this process they are given a step raise and a cost of living raise, which could amount to a total of 5% or more. He said he was working with the committees to try and curb these costs. Under Sick leave buy-back, D. Lorraine Lambert questioned the elimination of sick time buy back. An employee is more likely to take advantage of taking time off because at the end of the year they will no longer be able to accumulate it. It is a benefit that they should get paid for it because they did earn it by not taking it off. James Sousa wanted to make a point that back in the 70's when inflation was high the sick leave buy-back was offered as a benefit in place of raises. This is not only paid at the time of retirement but in case of death, so in most cases any employee who has been with the Town a great amount of years do look at this as an additional benefit.

Under the Chelmsford School Department category, Chairman of the School Committee Wendy Marcks, indicated that the Committee was not prepared to recommend any bottom line figure for their budget, because tonight was the first time that they were made aware that they would be given an additional \$300,000. They could only give a recommendation on what they were prepared for and felt that this additional money would change those figures and recommendations. A question was raised by Andrew Silinish, if the bottom line figure is all that is required to be voted on then what difference would it make?

Why couldn't the School Committee give their recommendations tonight? Tom Carroll, the Financial Advisor of the School Committee explained that they required more time to go over the figures. Teaching positions would definitely be reinstated, but the Committee must look at where they will be added, where the most need is. This would result in schedules being updated during the summer in order to be ready for the fall. Depending on what the Board does with any additional funds, any activity programs, athletic programs, supplies and materials that have been cut would be looked at and analyzed. Donald Ayer moved to increase the Manager's budget figure by another \$127,000 for a total of \$22,506,338. He explained that the original cuts made to the budget was \$900,000 which was approximately 60%. He felt that the Board should receive more monies because of the amount of monies cut. He listed a few areas where he would like the money spent. The Finance Committee asked the Town Manager where would the additional monies come from. The Town Manager explained that if need be he would take the money from the capital improvement article, which included school mandated items. He was against doing this, he felt it would be better spent if this debt was decreased. Less money would have to be borrowed. This would result with the next four years of payments being smaller, and a savings would be made. He recommended against the motion. Chairman of School Committee Wendy Marcks further explained that at their previous meeting the Committee voted as a body to support a balance budget of 60% of any anticipated monies coming into the town. Samuel Poulten stated that the School Department is certainly entitled to receive more money. He reminded the Town Meeting body of the cuts and the amount of money that was actually cut from the School's Budget, not only this year but last year, due to the loss of state aid. The Brookline decision money should all be put back into the budget, not 40% for the town and 60% for the school but fairly distributed. This is where it came from. He wanted to see the School Department come back next week with their actual recommendation, and he hoped the figure would be even more than Donald Ayer's motion. Dennis Ready moved to amend the Ayer motion by adding an additional \$263,000 to the \$127,000 figure. For a total of \$390,000 added to the bottom line which would give a total budget of \$22,769,338. He felt that the School Department's fair share of the 60% would be \$695,000. By including the amended monies already voted of \$300,000 and adding \$390,000 (which is the \$127,000 and his \$263,000 together) would bring the total amount of increased monies up to \$695,000 which is 60% of the revenues received back. For a total bottom line figure of \$22,769,338. The Moderator asked for the Finance Committee's recommendation. The Finance Committee wanted to hear from the School Committee first. Chairman Wendy Marcks stated again that they could not reach an intelligent figure at this time. She applauded what the Town Manager and the Representatives were attempting to do, but in all fairness they needed time to look at their budget and come up with their own figures of recommendation. She also stated that she was more concerned at this time of trying to act on article 8 tonight, because of the mandated handicap items. The Committee was meeting the next night and needed to award these bids, this would save the town \$250,000.

The Moderator suggested that maybe article 6 could be tabled at this time, and bring up article 8 for discussion and vote. Edward Hilliard asked if this was done, would everything in article 6 be able to be brought back up for discussion including the amendment(s) all ready on the floor? Andrew Silinish moved to adjourn until next Monday, June 25th. William Dalton questioned why wait until next Monday to come back, why not come back another night this week. Chairman of the School Committee Wendy Marcks was against adjourning at this time, she wanted to be able to vote on article 8. The Town Manager was not in favor of taking article 8 up before finishing the budget. Any remaining monies not applied to the budget will be used to fund article 8. The Finance Committee felt these issues should be addressed next Monday. The Board of Selectmen supported adjourning to next Monday. The School Committee stated that they would be in favor of adjourning to another night this week. Barry Balan moved to adjourn to Wednesday night June 20th, at the McCarthy Middle School Auditorium, at 7:30 p.m. The Moderator asked Town Counsel if this motion to amend would be in order if in fact another board has already scheduled a meeting. James Harrington, Town Counsel explained that according to Town By-law the Town Meeting takes precedent over any other previous scheduled meeting. The Finance Committee supported the motion to amend the motion to adjourn. The Board of Selectmen said that the Board had a tie vote at this time. The Moderator asked for a voice vote which left the chair in doubt, he then asked for a show of hands, motion carried. The meeting adjourned at 11:10 p.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

ADJOURNED ANNUAL TOWN MEETING JUNE 20, 1990

The Annual Town Meeting was called to order at 7:40 p.m. at the McCarthy Middle School Auditorium, by the Moderator Dennis E. McHugh. There were 137 Representative Town Meeting Members present.

The Moderator made a few announcements. The CHS Class of 1992 were selling refreshments in the lobby. The Ethics Committee has completed its rules and a draft is available at the check-in table. The Committee will present these recommendations at a public meeting scheduled for July 11, 1990 at 7:30 p.m. at the Town office Building. Any further input will be discussed at the public meeting with the final report being presented to the Town Meeting in the fall. The By-law Committee is also looking for input from the representatives on possible changes they would like to have done in connection with the town meeting format. He gave the names and phone numbers of the various members of these two committees if further questions or answers were needed. The Board of Selectmen have scheduled a Special Town Meeting at the request of the Board of Health, for Monday, July 23, 1990. He asked the representatives to please make note of this date.

The Moderator then explained that the Town Meeting had adjourned on Monday evening at the Chelmsford School Department Category which appeared in the budget discussion under Article 6. And he would continue the discussion from that point.

UNDER ARTICLE 6 CON'T The Town Meeting body was discussing the Dennis Ready motion, which was to amend Donald Ayer's motion by adding a total of \$390,000 of new monies to the amended figure of \$22,379,338. Which would result with a bottom line total figure of \$22,769,338. Donald Ayer said that he had discussed this motion with Dennis Ready and that they both agreed to withdraw the motion at this time. Donald Ayer moved to withdraw the motion at this time. The Moderator stated that since it has been presented to the body and a discussion has already taken place, he asked for a voice vote on the motion to withdraw, motion carried. Donald Ayer then commented that he would personally like to commit himself to staying the night and completing the budget. He felt that other representatives felt the same way, so he requested that all discussion be brief. Chairman of the School Committee Wendy Marcks moved to amend the motion by adding an additional \$198,860 of new monies, to the amended monies already voted of \$300,000 for a total increase of \$498,860 added to the bottom line which would give a total budget of \$22,578,198. Thomas Carroll, the Financial Advisor of the School Committee, gave a brief presentation explaining where the money would be going. Personnel, general support, health education programs, textbooks, library, audio vision equipment, special education, late bus service, maintenance of grounds. A discussion followed. The moderator asked for the Finance Committee's recommendation. Chairman of the Finance Committee, Dwight Hayward, supported the motion to amend. Chairman of the Board of Selectmen, Bonita Towle said that the majority of the Board of Selectmen present were in favor of the motion. The Town Manager said that although he agreed with the School Committee's request he was going to stand by his original budget figure that has already been amended. Samuel Poulten made a motion to move the question, which would stop any further debate. The Moderator attempted a voice vote which left the chair in doubt. He asked for a show of hands, still in doubt he asked the tellers to come forward and conduct a hand count. The following tellers came forward: Michael McCall, Helen Manahan, Marc Vandenbulcke, Marie Geary. The result Yes 80, No 46, 2/3's is 84 motion is defeated. The discussion continued. Robert Sexton said that the School Committee's budget if approved would be increased 6.6%. Thomas Carroll explained why the budget has increased. More discussion followed. Robert Sexton moved to table the School Committee's motion. The Moderator asked for a voice vote, motion defeated. The discussion continued. A number of representatives spoke for and against the School Committee's motion. Jeffrey Stallard moved the question to stop debate, motion carried, unanimously. The Moderator then asked for a voice vote on the School Committee's motion to increase the bottom line to \$22,578,198, motion carried. Under the Nashoba Valley Technical High School Samuel Poulten wanted to note the possibility of the need to increase this budget next year. Thomas Carey, member of the Nashoba Valley Technical High School Committee, commented that

the budget is down to the minimum and that the administration has done a tremendous job. The Moderator proceeded by reading the Public Safety category numbered line items and the non-numbered items. Under the Police Department, Chief of Police Raymond McKeon spoke about his budget. Dennis Ready moved to amend the article by adding an additional \$75,000 to the Police salary account. He said that this would be used to reinstate the Safety Patrol Unit. The Moderator asked for the Finance Committee's recommendation. The Committee wanted to hear more input before recommending. The Board of Selectmen were in favor. The Town Manager was against the motion. Dennis Ready explained that the funding for this unit had been cut from last year's budget. This unit was responsible for bringing in a large amount of revenue to the town due to offenders of traffic violations. By reinstating this unit two patrolmen would not have to be laid off. They would work on this unit. No overtime or any additional equipment will be needed. The Finance Committee was against the motion. A very lengthy discussion took place. William Logan, a member of the Traffic and Safety Committee, who as a member of the Finance Committee was the Police Department's liaison to the committee, felt that this was a last minute decision that should have been discussed more with his two boards. Bradford Emerson moved the question to stop debate. The Moderator asked for a voice vote which left the chair in doubt. The tellers came forward and a hand count was taken: Yes 113, No 9, $\frac{3}{4}$'s is 82, motion carried. He then asked for a vote on Dennis Ready's motion to increase the Police Salary account by \$75,000. Motion carried. Total Police salary is now to read \$2,563,235. The Moderator read the non-numbered items under the Fire Department. James Sousa moved to amend the Salary Line by increasing it \$176,500 and the Expense Line by \$8,500. He explained that this would accomplish restoring the force to sixty uniform members of service firefighters and captains and maintain all the fire stations that were opened last year and avoid closing any stations. This would restore the services to what they were a year ago. He listed the many non-fire related services that the men and station perform. The Moderator asked the Finance Committee for their recommendation. The Board was not ready to give their recommendation at this time. The Selectmen wanted to hear more discussion. The Town Manager was against increasing the budget. He felt that the Town couldn't continue to fund areas that would eventually have to be cut back. They are only putting off the inevitable. He felt that when the voters didn't vote for the override they were sending a message of not wanting to pay more taxes. By not wanting more taxes, services would have to be cut. A lengthy discussion took place. A number of representatives spoke against the policy of closing the West Fire Station. They wanted the service to be retained and spoke in favor of the motion to do so. Chief Hughes was asked about preserving public safety with a two minute respond time. He explained that once any of the stations are closed within the town there would be absolutely no guarantee that the two minute respond time could be met. The Board of Selectmen were in favor of the motion to increase the salary and expense line of the Fire Department. Dennis Ready moved the question to stop debate. A question was raised to hear the Finance Committee's recommendation. The Moderator explained that once a motion to stop debate is made no other business can be discussed at

this time. He then asked for a voice vote on the motion to stop debate, motion carried, unanimously. The Moderator asked for a voice vote on the motion to amend, which left the Chair in doubt, he asked for a show of hands, motion carried. The amendments voted on for the Police and Fire would increase the Public Safety category line item 8 Salary to be \$5,624,005 and line item 9 Expense to \$438,761 for a total Public Safety budget of \$6,089,867. The Moderator continued to read the rest of the non-numbered line items. Under the Public Works category he read the numbered line items total figures, and proceeded to read the non-numbered items asking for the need of any discussion.

Edward Hilliard questioned the snow and ice account. He wanted to know if the voted amendment figure of \$100,000 increase to this account included maintaining the non-town parking lots. Specifically, sanding and clearing the church parking lots. The Town Manager explained that this was not the purpose of the increase. The Board of Selectmen set a policy that the Town would no longer be responsible for maintaining these non-town parking lots. The amount was increased in order to establish a base and to comply with a Massachusetts financial state law, which will not allow a town to overspend unless it appropriates the amount that was spent the year before. Edward Hilliard read a letter that was sent to him concerning the issue. The letter was from the Baptist Church located in the center of the Town. It specified the different public service organizations that used the churches parking lot for free at different times of the year. Boy Scouts, Hockey Associations, Fourth of July Celebration, weekly summer band concerts. The church allowed the sewer contractor to store equipment on the parking lot, and use the lot as an access during the sewer construction. Edward Hilliard felt that there are a lot of other Town functions, that the churches do allow parking for and wanted the Town Manager to realize this. William Spence asked if a motion could be made to allow the church an extension of one year, then they could make changes within their policies. The Town Manager said that while he supported the policy, it was the policy of the Board of Selectmen. Selectman Bradford Emerson explained that a majority of the five member board voted to discontinue plowing the parking lots, but that the majority of the Board present tonight support the plowing of the parking lots. William Spence wanted to make a motion to continue the plowing. Town Counsel said the motion was out of order. Only the Board of Selectmen could decide that policy issue.

Jeffrey Stallard moved to amend the budget by taking \$18,300 from line item 16 Snow & Ice Under Public works; and move it to line item 17 Salary under Community Services (Human) for the sole purpose of funding the restoration of the Elder Services clerk, \$10,000 and the Senior Activities Coordinator \$8,300.

Both the Town Manager and the Finance Committee were against the motion to amend, Jeffrey Stallard explained the reason for his motion. He wanted to maintain the same services as last year. A discussion took place. The Moderator asked for a voice vote on the motion to amend, motion defeated. The discussion continued. Michael Anthony of the Solid Waste Advisory Board, spoke about the

trash issue. He felt that \$530,000 should be removed from the sewer betterments receipts and applied to the waste collection. He said that this would eliminate the yearly fee, then residents would only have to pay for the cost of each bag that they put out. He further explained his reasoning for this. He moved to make this a motion. The Moderator asked Town Counsel if this motion could be made by a non-representative. James Harrington ruled that only elected Town Meeting Representatives could make motions. Discussion followed. Richard DeFreitas made the motion for Michael Anthony, to reduce waste collection receipts line to read \$1,012,600 and add the line "transfer revenue from Sewer Betterments with the amount of \$530,000" under the wording of offset receipts. After some confusion was cleared up on the exact wording and the placement of the figures was established, a lengthy discussion took place. The Finance Committee and the Town Manager were against this motion. Richard DeFreitas spoke about the Board of Health Rules and Regulations that were being established concerning the trash issue. He felt that this motion would result in a simpler method to collect the trash. He then moved to eliminate the tag system entirely and just charge each household \$112.00. The Town Counsel ruled this out of order. A number of representatives spoke in favor and against the motion. Barry Balan and Jeffrey Brem, Sewer Commissioners, spoke against using the sewer betterment fees. These fees should be used only for sewer work. Barbara Scavezze, Chairman of the Solid Waste Advisory Board, said that this motion has not been discussed with the Solid Waste Advisory Board, it is Michael Anthony's personal opinion. She herself is against the motion and asked for the support of the bill and tag system that has been adopted by the Board of Selectmen. More lengthy discussion followed. Richard DeFreitas said he had put this motion on the floor for discussion. He doesn't feel that it will pass at this point so he moved to withdraw the motion. The Moderator asked for a voice vote, motion carried.

The Moderator continued to read the rest of the non-numbered line items listed under the Public Works Category, beginning with the Engineer and asked for any discussion. At the Waste Collection non-line item, Ronald Wetmore moved to amend the expense line item to read \$270,000 and delete the offset receipts figure of \$1,530,250. A question was raised concerning the present trash contract. James Harrington, Town Counsel, explained that the present contract is contingent on Town Meeting funding. If the money is not voted on then the Town is allowed to break the contract. The Finance Committee supported the motion. The Board of Selectmen did not. Robert Sexton moved to amend Ronald Wetmore's figure of \$270,000 to be \$1,800,000 and delete the offset receipts of \$1,530,250 to be zero. The Finance Committee was not in favor of this motion. The Town Manager was not in favor of the motion. Selectman Emerson moved the question, motion carried, unanimously. The Moderator asked for a voice vote on Robert Sexton's motion. Motion defeated. More discussion took place. William Logan moved the question to stop debate, motion carried, unanimously. The Moderator asked for a voice vote on Ronald Wetmore's motion, motion defeated.

Richard DeFreitas moved to adjourn until Monday, June 25th at 7:30 p.m. to the McCarthy Middle School

Auditorium. The Finance Committee was in favor of the motion. The Board of Selectmen were against this motion. A discussion took place. The Moderator asked for a voice vote on the motion to adjourn, motion defeated. Selectman Dennis Ready moved to stop debate on the rest of article 6. The Moderator explained that if this passed then there would be no further debate heard on the numbered Line items under the Cemetery Department Category, Community Services (Culture & Recreation) Category and Debt and Interest Category. He attempted a voice vote which left the chair in doubt, the tellers came forward and conducted a hand count. Result of the hand count, Yes 78, No 38, 2/3's is 77 the motion carried.

He then read the beginning of the motion. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate and transfer from available funds the sum of \$45,837,661 as may be required to defray Town charges for the fiscal period from July 1, 1990 to June 30, 1991. The Moderator asked for a voice vote, which left the chair in doubt. He asked for a show of hands, motion carried. The budget reads as follows:

GENERAL GOVERNMENT:

1. Salary	771,004
2. Expense	4,921,631
3. Out-of-State	2,301
4. Outlay	506
5. Legal Services	5,000
Total General Government	5,700,442

CHELMSFORD SCHOOL DEPARTMENT:

6. Total budget	22,578,198
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NASHOBA VALLEY TECHNICAL HIGH SCHOOL:

7. Total Town Assessment	504,625
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PUBLIC SAFETY:

8. Salary	5,624,005
9. Expense	438,761
10. Out-of-State	3,500
11. Outlay	23,601
Total Public Safety	6,089,867

PUBLIC WORKS:

12. Salary	913,891
13. Expense	2,682,575
14. Out-of-State	4,501
15. Outlay	2,003
16. Snow & Ice	370,000
Total Dept. of Public Works	3,972,970
Transfer Offset Receipt (Waste Fees)	-1,530,250
Transfer Offset Receipt (Sewer Fees)	-160,000
Net Budget	2,282,720

CEMETERY DEPARTMENT:

28. Salary	115,971
29. Expense	27,275
30. Out-of-State	500
31. Outlay	3,500
Total Cemetery Department	147,246

COMMUNITY SERVICES (HUMAN SERVICE)

17. Salary	275,993
18. Expense	127,708
19. Out-of-State	1
20. Outlay	2
Total Budget	403,704

COMMUNITY SERVICES (CULTURE & RECREATION):

21. Salary	527,030
22. Expense	90,828
23. Out-of-State	500
24. Outlay	2
25. Books & Periodicals	107,120
Total Budget	725,480
Transfer Offset Receipt (Recreation Fees)	-39,375
Net Budget	686,105

DEBT & INTEREST

26. Principal	3,580,000
27. Interest	2,135,129
Total Debt & Interest Budget	5,715,129
Transfer Special Revenue—Cranberry Bog reimbursement	-431,250
Transfer Special Revenue—Sale of Real Estate	-99,000
Net Budget	5,184,879

TOTAL FY91 BUDGET	45,837,661
Minus total Available funds (trans & offset recap)	-2,259,875
Net FY91 Budget (Raise & Appropriate)	43,577,786

UNDER ARTICLE 7 Chairman of the Finance Committee Dwight Hayward, moved that the Town vote to raise and appropriate the sum of \$200,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6.

Chairman of the Finance Committee, Dwight Hayward, explained that this is money that is put aside to cover any unforeseen emergencies. This requires a transfer to be done, he asked for support of the article. The Board of Selectmen supported the article. The Town Manager supported the article. Motion carried, unanimously.

UNDER ARTICLE 8 Town Manager Bernard Lynch, moved that the Town vote to transfer and appropriate \$66,403.00 from unexpended proceeds of amounts authorized for capital planning project expenditures under Article 10 of the Annual Town Meeting of 1989 and Article 13 of Annual Town Meeting of 1988, transfer and appropriate the sum of \$24,987.00 from unexpended proceeds of amounts authorized for capital planning project expenditures, under article 14 of Special Town Meeting 1986, Article 17 of Special Town Meeting 1986, Article 15 of Special Town Meeting 1987, to raise and appropriate the sum of \$392,810.00 to borrow the sum of \$919,145.00 and to transfer and appropriate the sum of \$60,000.00 from the Stabilization Fund to fund the following capital projects:

SCHOOL

1. Mandated Asbestos Removal McCarthy and South Row	100,00.
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2. Mandated Oil Tank Testing and/or Replacement	51,200.
3. Mandated Handicap Access	849,345.
4. McCarthy Roof re-coat	57,200.

POLICE DEPARTMENT

5. Purchase 4 cruisers	60,000.
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TOWN CLERK

6. Optech Voting Machines	34,600.
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DPW—HIGHWAY

7. Road Maintenance	300,000.
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SEWER

8. Pick-up Truck	11,000.
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TOTAL \$463,345.

The Finance Committee, Board of Selectmen, and the Town Manager were all in favor of the article. Edward Hilliard questioned the mandated items listed under the School list and wanted to know why these items were not being paid for by the State. Tom Carroll of the School Department explained that these are mandated through the Federal Government, but the money must be appropriated first and then the town will apply for reimbursement from the Federal Government. Linda Allen questioned the need for the voting machines. The Town Manager explained that right now there is a high trade-in value on the present machines, until the end of the year. The present machines and system are beginning to show wear and tear. The new system is more durable and easier to handle. Also there are monies left in the state census account that will be applied to the cost in addition to the amount shown. Monies should be saved over the long term. More discussion took place. Ann Graham questioned the effect of this article will be over the next four years. The Town Manager answered about \$250,000.00 each year. The Town Treasurer explained that the debt will be actually less in 1992 because we are paying off certain sewer expenditures, so the actual debt will be less. Dennis Ready moved the question. Motion carried, unanimously. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 22 Selectman Bonita Towle moved that the Town vote to instruct the Board of Assessors to issue a sum of \$16,941.00 from Free Cash in the Treasury for the reduction of the tax rate.

Town Manager Bernard Lynch explained that this is monies left over from FY 1989 that is still available and will be used for this article. He asked for support of the article. The Finance Committee recommended the article. Motion carried, unanimously.

Seeing that there was no further business at hand the Moderator declared the meeting adjourned.

Tom Carroll requested the floor to speak about the approved school budget. Speaking on behalf of the School Committee, this has been a very long and hard going task

which has been going on since November. Regardless if the body was in favor of the budget or not, he wanted to make a point of acknowledging the work, effort and cooperation, done by the Finance Committee, the Board of Selectmen, Town Manager and the School Committee to arrive at a definite quality budget that the Town could work with.

The Town Manager Bernard Lynch made an announcement "that one of key people that has been part of the town for the last 12-15 years, who has made the Town Meeting work, has been the Town Accountant Ernie Day. This is going to be his last Annual Town Meeting." He felt Ernie deserved a round of applause for all his efforts. The Town Meeting body acknowledged Ernie Day with a round of applause and a standing ovation.

Jeffrey Stallard made a point to wish Tom Carroll of the School Department good luck and success on his new venture. This announcement was followed with a round of applause.

The meeting adjourned, Thursday, June 21, 1990 at 12:30 a.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

SPECIAL TOWN MEETING JULY 23, 1990

The Special Town Meeting was called to order at 7:45 p.m. at the McCarthy Middle School Auditorium, by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 138 Town Meeting Representatives present.

The Moderator proceeded to point out the various fire exits and entrances around the auditorium. He then went over the Town Meeting rules and regulations. A discussion took place over the procedures. Comments were raised about the same representatives using the microphone and the length of discussions. It was also mentioned that everyone should stand in line to use the main microphone. Especially when either the motions to move the question or making amendments to the article. The Moderator explained that there is a By-Law Committee, Thomas Doyle is the Chairman. The Committee is working on modifying the Town's present by-laws. Jane McKersie, who is also a member of the Committee, explained briefly what the committee has drafted so far. The Moderator urged the representatives to contact the Committee regarding future Town Meeting procedures.

Selectman Bonita Towle moved that the reading of the Constable's return of service and posting of the warrant be waived. It was so voted, unanimously. Selectman Towle moved that the reading of the entire warrant be waived. It was so voted, unanimously.

UNDER ARTICLE 1 Mark Gauthier, Member of the Board of Health, moved to amend the article by adding the following wording to the end of the article, "Provided, that any money taken from the stabilization fund, recovered by or on behalf of the Town shall be returned to the stabilization fund." The Finance Committee was in favor of the article with the added amendment. Mark Gauthier explained that this article and the next are both about the same situation. The ongoing capping project at the landfill on Swain Road was allegedly damaged by a local contractor, Bob Hicks who's company tore up the area already worked on and dumped construction debris there. Due to this being a possible health hazard they had to act right away, in order to protect the Town and the residents in the area. The Board of Health hired an engineering consulting firm to assess the damage done to the project. The Board of Health felt that this was an emergency expense of \$53,893 that was not budgeted for and the firm has already done the work required, the next article is the actual cost for repairing the damage. The Town is in the process of suing the alleged contractor for all the expenses that has occurred from the damage. The Board of Selectmen were in favor of the article and the motion. The Moderator asked for a voice vote on the motion to amend. Motion carried. A discussion took place. Henry Sullivan spoke against the article, he didn't want anymore money spent on taxes. Roger Blomgren questioned the \$200,000 that was appropriated in 1988 for the final closing phase of the landfill. Mark Gauthier explained that some of that money has been used to draw up plans and pay engineering costs, there is \$149,000 left. The requested money for these two articles is over and above the \$149,000. He then gave a breakdown of where the money will be going. James Doukaszewicz, Town Treasurer, clarified that the money is coming from the stabilization fund. No new tax money will be raised. More discussion took place, a number of representatives spoke against the article. George Merrill spoke against the article. John Emerson of the Health Department spoke in favor. James McBride spoke about the problems the Conservation Commission had with Mr. Hicks, and how it was resolved. Mark Gauthier listed the different negotiation dates that have taken place with Mr. Hicks with the Board of Health. The Board attempted to resolve the situation, but as of tonight's meeting the Board hasn't heard from Mr. Hicks or his attorney. The Board of Health must comply with the Court order of 1985 of the completion of capping the landfill, or else be held in contempt and be charged with a \$1,000.00 a day fine. The town will pursue the attempt through the courts if need, in order to get Mr. Hicks to reimburse the Town for all the costs involved. Mr. Hilliard questioned if there was any consequential damages done to the adjoining properties, would the contractor be held responsible? Town Counsel, James Harrington explained that a Special Counsel with a specialty in environmental suits, had been hired by the Town. Due to the possibility of pending court action, he couldn't discuss the negotiations that have taken place. He assured the body that the town's best interest were being protected. The counsel had been advised to take the appropriate action necessary to recover all money spent for the damage and consequential damage that has occurred. The Moderator said that a 9/10's vote is needed. He attempted for a unanimous vote, which failed. The following tellers came

forward and a hand count was taken: Richard McClure, Dorothy Frawley, Michael McCall, Lucy Simonian. The result of the hand count, Yes 110 No 16, 9/10's is 113, the motion failed.

UNDER ARTICLE 2 The Moderator read the article. Mark W. Gauthier, Board of Health Member, moved to amend the article by adding the following wording to the end of the article. "Provided, that any money taken from the stabilization fund recovered by or on behalf of the Town shall be returned to the stabilization fund." He then explained the reason for the amendment in this article was the same for the previous one. He added that the Board of Health also is prepared if necessary to file a suit for damages, and asked for support of the article. The Finance Committee supported the amendment and the article. A question was raised on why a 9/10's vote was needed for article one, and not this article. Town Counsel explained that the services of the engineering consulting fees are considered a bill from the previous fiscal year and the statute requires a 9/10's vote. The Moderator asked for a voice vote on the motion to amend. Motion carried, unanimously. A discussion took place. A number of representatives spoke for and against the article. Town Counsel explained about the DEP taking court action against the Town if the capping plan isn't followed through. Even though the Town isn't responsible for the alleged damage, it is the Town's responsibility to meet the time frame set by previous court action. James DeProfoia a representative from precinct two, where the landfill is, asked for support of the article. He felt that the people in the immediate area needed the protection and that the rest of the Town needed to be protected. James McBride of the Conservation Commission asked for support of the article because of the environmental factor.

Thomas Moran asked for article one to be reconsidered. He felt that people didn't realize the full intent of the article and were confused about the required 9/10's vote. The Finance Committee supported the motion to reconsider. Selectman Blomgren wanted the Town Manager to give the representatives some financial advise concerning the goal of the article. Town Manager Bernard Lynch said that it was his understanding that the money mentioned in article one was going to be taken from the balance of the 1985 appropriation of \$200,000.00. He felt that it should be done that way, then amended article two's figure of \$56,107.00 by increasing it \$53,893.00 for a total of \$110,000.00. Henry Sullivan spoke against article one being reconsidered. Bernard Lynch explained that the Town Counsel and Financial Director differed with him on his opinion of using the money from a past appropriation to pay the engineering fee in article one, and increasing article two's amount. He felt that the article should be reconsidered at this time. Selectman Blomgren asked for Town Counsel's opinion on the matter. James Harrington explained that the bill mentioned in article one, is a bill from the prior fiscal year. By statute it must come before this body for a 9/10's vote and it cannot be paid out of the money currently appropriated. The Moderator asked for a voice vote on the motion to reconsider, motion carried.

UNDER ARTICLE 1 Andrew Slinish spoke in favor of the article. Jeffrey Stallard moved the question to stop debate. The Moderator asked for a voice vote, motion car-

ried, unanimously. The Moderator asked for a voice vote, which left the chair in doubt. The tellers came forward and conducted a hand count. The Moderator read the article. Mark W. Gauthier moved that the town vote to transfer and appropriate from the stabilization fund the sum of \$53,893 in order to pay outstanding engineering consulting fees incurred by the Town in connection with restoration work at the Swain Road landfill. Provided that any money taken from the stabilization fund recovered by or on behalf of the Town shall be returned to the stabilization fund. The hand count was taken, Yes 119 No 14 9/10's vote required of 118, motion carried.

The Moderator returned to the discussion of article 2.

UNDER ARTICLE 2 CON'T He asked if there was any further need for discussion of this article. Hearing none he read the article as amended. Mark W. Gauthier moved that the town vote to transfer and appropriate from the stabilization fund the sum of \$56,107 in order to engage contractors, and necessary consultants including engineering and legal to perform certain cap restoration work at the Swain Road landfill site and pursue any legal remedies available to the Town of Chelmsford. Provided that any money taken from the stabilization fund, recovered by or on behalf of the town shall be returned to the stabilization fund. He asked for a voice vote which left the chair in doubt. The tellers came forward and a hand count was taken: Yes 116 No 14 $\frac{3}{4}$'s is 84, the motion carried.

UNDER ARTICLE 3 Barry Balan, Chairman of the Sewer Commission, moved that the Town vote to amend the vote taken under Article 16 of the warrant for the Annual Town Meeting 1990, by deleting the last sentence requiring an additional specific exemption under Proposition 2½.

Barry Balan explained that the article that was passed at the Annual Town Meeting was amended and voted with the added wording of "Any appropriation under this article shall be allowed only upon a specific exemption under Proposition 2½." The intent of the article was to receive Town Meeting's permission to put the article on the ballot for a vote, as required by statute, either on the election ballot of November 1990 or April 1991. Nothing can take place until an actual ballot vote is conducted. After Bond Counsel review the article as passed with the added wording, counsel informed the Sewer Commission that according to statute a special election would have to take place within forty-five days of the acceptance of this article. The Sewer Commission felt this was an unnecessary added expense for the Town to endure, and wanted the last sentence removed in order to allow a vote to be taken at the Town's convenience. The Finance Committee supported the article. James Doukszewicz, Town Treasurer, questioned if the question that was passed in April of 1989 would meet the requirements of this article and avoid placing a question on any ballot. Town Counsel, James Harrington explained that Bond Counsel reviewed that possibility and said that another ballot question is required. Ann Graham spoke against removing the wording from the article. Bernard Ready, one of the petitioners of the original article explained that the areas petitioning for sewage availability are in desperate need of this service, and asked for the Town

Meeting support. The Moderator asked for a voice vote. Motion carried, unanimously.

UNDER ARTICLE 4 Dennis Ready petitioner, explained the purpose of the article. He wanted to amend it by dropping the last three words in the article "and/or disposal, and add or act in relation thereto." He felt that people are not happy with the present bill and tag system that the Town has adopted in order to pick up the trash. He proposed a simpler solution. He felt that the \$70.00 present collection fee could be reduced to \$30.00. An override question would be necessary to do so. The amount requested would only be the money needed for the collection fees, which would include the condominiums. The cost he figured to be starting July 1st next year, would be \$609,000 which would be about 24 cents on the tax rate, or with a home value of \$165,000 about \$38.40 a year. This would be instead of the present \$70.00, and avoid sending out a bill, no paper work, and the \$38.40 would be tax deductible where the present \$70.00 isn't. The Moderator read the article with the proposed amendment:

Dennis J. Ready moved that the Town vote to recommend that the Board of Selectmen submit a question for insertion on a ballot to be voted upon by the Town to override the provision of Proposition 2½ for the purpose of funding municipal/household solid waste collection, or act in relation thereto." The Finance Committee supported the article. The Moderator asked for a voice vote on the motion to amend the article, motion carried. Richard DeFreitas spoke against the article, he didn't feel that the condominium owners would go along with the proposal, he felt that the Town should get out of the trash business if it cannot provide the service within the tax structure. He didn't agree with the present Board of Health Rules and Regulators. He wanted them to be a by-law and debated on Town Meeting floor and then sent to the Attorney General for approval. Jeff Stallard asked if this article passed, would it be mandatory that the question be placed on the ballot. Town Counsel ruled it's not mandatory, only the Board of Selectmen could consider putting the question on the ballot. He proposed an amendment, which Town Counsel ruled out of order. A discussion took place. A number of people spoke against the article. Scott McCaig moved the question. The Moderator asked for a voice vote, which left the chair in doubt. He asked for a show of hands, motion defeated. Bill Spence expressed the concerns and frustrations that he felt people had about the Town's present financial situation. Department heads and elected and appointed officials should be more aware of controlling the costs of the Town. More discussion followed. Kay Roberts moved the question. The Moderator asked for a voice vote, motion carried unanimously. He then asked for a voice vote on the article as amended. This left the Chair in doubt, he asked for a show of hands, motion defeated.

UNDER ARTICLE 5 Town Manager Bernard Lynch, explained that the article concerns selling the North Town Hall property to a non-profit organization, by way of the bidding process according to State Law. Currently there is an interested party who originally was willing to just lease the building, but the Town could only give them a ten year lease. It would be in best interest for all if the building could

be sold as is. The Board of Selectmen were in favor of the article. The Finance Committee were not prepared to give any recommendations at this point. Ronald Wetmore representing the Masonic Temple, gave a brief explanation. His organization was the interested party mentioned as willing to lease the property. They would only be allowed a ten year lease and because they estimated a cost of at least \$100,000 for improvements of the property they wanted a longer lease, which was impossible. The Masons were willing to purchase the property through the bidding process. Samuel Brink moved to amend the article by adding to the end, "Also contingent upon suitable storage space being provided elsewhere for the organizations now using the North Town Hall for storage." Samuel Brink explained that many youth organizations have stored their sporting equipment in this building for many years for use on the nearby fields. Bernard Lynch said that this would have been considered as a condition when the bid was made, and didn't see any problem with adding it to the article. The Moderator asked for a voice vote on the amendment, which left the Chair in doubt. He asked for a show of hands, motion carried. More discussion took place. Representatives spoke in favor of selling the building by way of the bidding process. They expressed concerns about it being sold for \$1.00. It was explained that it will be advertised and seal bids will be requested, and awarded to the highest bidder, not auctioned off. It was questioned on why only non-profit organizations will be allowed to bid. Selectman Johnson explained that because of the neighborhood location. The property is not in a commercial zone. By keeping it limited to nonprofit bidders, the Selectmen felt they would have more control on the occupants. Ronald Wetmore explained because of the reverter clause his group is not interested in making any money from the Town. As long as the Masons use it, they will invest in the property. By keeping the historical aspect in mind they intent to bring it back to an attractable buyable status. If at any time the Masons no longer want the building the Town will get back a building that has been greatly improved. Robert Brooks moved the question to stop debate. The Moderator asked for a voice vote, motion carried, unanimously. The Moderator asked for a voice vote on the article as amended, motion carried, unanimously. The article reads as follows:

Selectman Bonita Towle moved that the Town vote to authorize the Board of Selectmen to convey for consideration to be determined, all right, title and interest if any, held by the Town in the North Town Hall on Princeton Street; provided however that any sale shall be contingent upon a right of reversion to the Town in the event that the property is used for purposes other than those negotiated by the Selectmen., and further contingent upon the Town being granted a right first refusal upon any subsequent sale. Also contingent upon suitable storage space being provided elsewhere for the organizations now using the North Town Hall for storage.

UNDER ARTICLE 6 Bernard Lynch, Town Manager moved to withdraw this article, due to the passage of article 5, this article is no longer needed. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 7 Bernard Lynch, Town Manager moved that the Town vote to amend article 6 of the 1990 Annual Town Meeting by transferring and appropriating the sum of \$6,000 from line item #21 Community Services Salaries to Community Services Expenses line item #22.

Bernard Lynch explained that the Recreation Department had set up a revolving account in order to be self supporting. They thought that they could use this account to cover expenses. This cannot be done. They must have separate accounts. The salary account had an overage of \$6,000 in it. This article would allow the money to be transferred from the salary account and used as an expense account. The Finance Committee recommended the article. D. Lorraine Lambert wanted to amend the article to be increased by an additional \$65,000 in order to increase the Library salaries account. Town Counsel James Harrington ruled the motion out of order. The article can only address the \$6,000 figure. He then explained the procedure she should follow in order to get an article on the October meeting. The Moderator asked for a voice vote on the article, motion carried, unanimously.

UNDER ARTICLE 8 Jeffrey Stallard moved that the Town vote to amend article 6 of the 1990 Annual Town Meeting by transferring and appropriating the sum of \$18,700 from the General Government Line Item 2 Expenses, to Community Services (Human Service) line Item 17 Salary.

Jeffrey Stallard explained the article. This is to restore two staff positions at the Senior Center. The Clerk's position had been reduced from 37½ hours to 20 hours and the Activity Coordinator had been reduced from 20 hours to 0 hours. He felt that these positions were needed. The Finance Committee questioned the wording of the motion. Town Counsel explained that the wording on the original petition was not correct. He and Jeffrey Stallard rewrote the motion in order to make it comply and be in order so a vote could be allowed. The Board of Selectmen did not recommend the article. Town Manager explained that he felt this article should come before the Town Meeting Body for a vote. That is why he wanted Town Counsel to work with Jeffrey Stallard on the wording. He felt like at this past June budget discussions, he supports the intention, but unfortunately cuts do have to be made and this is one of the areas. He did not support the motion. Jeffrey Stallard asked for support of the article. John Coppinger explained that he respected Jeffrey Stallard's motion. However, he agrees with Bernard Lynch that cuts have to be made, because next year the situation will be a lot worse. He asked Bernard Lynch what the shortfall will be for next year. Bernard Lynch said so far he estimated approximately 1 to 1.5 million. Local aid will be a factor and this is without trash in the budget. The Moderator asked for a voice vote, this left the Chair in doubt, he asked for a show of hands, motion defeated.

The Moderator announced tht the next scheduled meeting will be the annual on October 1st. Seeing there

was no further business at hand he adjourned the meeting. The Meeting adjourned at 11:20 p.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

TOWN WARRANT FOR STATE PRIMARY ELECTION September 18, 1990 COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in Primaries to vote at:

- Precinct 1: Town Offices Gymnasium, 50 Billerica Road
- Precinct 2: Harrington School Gymnasium, 120 Richardson Road
- Precinct 3: Harrington School Gymnasium, 120 Richardson Road
- Precinct 4: Westlands School Cafeteria, 170 Dalton Road
- Precinct 5: Byam School Cafetorium, 25 Maple Road
- Precinct 6: Westlands School Cafeteria, 170 Dalton Road
- Precinct 7: McCarthy Middle School Small Gymnasium, 250 North Road
- Precinct 8: McCarthy Middle School Small Gymnasium, 250 North Road
- Precinct 9: Town Offices Gymnasium, 50 Billerica Road

On Tuesday the eighteenth day of September, 1990, from 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the State Primary for the candidates of political parties for the following offices:

- U.S. Senator For the Commonwealth
- Governor For the Commonwealth
- Lt. Governor For the Commonwealth
- Attorney General For the Commonwealth
- Secretary For the Commonwealth
- Treasurer For the Commonwealth
- Auditor For the Commonwealth
- Representative in Congress Fifth Congressional District
- Councillor Third Councillor District
- Senator in General Court Fifth Mdsx. Senatorial District
- Representative in General Court Sixteenth Mdsx. Representative District
- District Attorney Northern District
- Register of Probate Middlesex County
- County Treasurer Middlesex County
- County Commissioner Middlesex County

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said election.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said election.

Given under our hands this 7th day of September, A.D. 1990.

BOARD OF SELECTMEN OF
TOWN OF CHELMSFORD
Bonita A. Towle, Chairman
Dennis J. Ready, Vice Chairman
Henrick R. Johnson, Jr., Clerk
Bradford O. Emerson
Roger A. Blomgren

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:
William E. Spence
Constable

A True Copy Attest,
William E. Spence, Constable

DEMOCRATIC PRIMARY September 18, 1990

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Total
U.S. SENATOR										
John F. Kerry	393	384	379	438	405	425	375	417	365	3581
All Others	0	0	0	0	0	0	0	0	1	1
Blanks	200	167	218	187	199	230	218	188	186	1793
TOTAL	593	551	597	625	604	655	593	605	552	5375

GOVERNOR										
Francis X. Bellotti	179	192	178	189	198	195	184	193	164	1672
Evelyn F. Murphy	16	15	11	17	12	12	15	12	17	128
John Silber	381	327	395	400	383	433	382	390	351	3442
All Others	0	0	0	2	0	0	1	0	0	3
Blanks	17	17	13	17	11	15	11	10	20	131
TOTAL	593	551	597	625	604	655	593	605	552	5375

LT. GOVERNOR										
Marjorie O'Neill Clapprood	258	239	240	248	264	266	258	269	241	2283
William B. Golden	147	148	140	184	138	176	138	148	129	1548
Nicholas A. Paleologos	129	89	147	130	140	148	118	118	128	1147
Blanks	59	75	70	63	62	65	79	70	54	597
TOTAL	593	551	597	625	604	655	593	605	552	5375

ATTORNEY GENERAL										
James M. Shannon	227	233	220	262	239	236	213	261	209	2100
L. Scott Harshbarger	347	295	357	342	343	402	357	322	323	3088
Blanks	19	23	20	21	22	17	23	22	20	187
TOTAL	593	551	597	625	604	655	593	605	552	5375

SECRETARY										
Michael J. Connolly	352	347	349	405	357	410	347	366	326	3259
All Others	0	0	0	0	0	0	0	0	1	1
Blanks	241	204	248	220	247	245	246	239	225	2115
TOTAL	593	551	597	625	604	655	593	605	552	5375

TREASURER

William Francis Galvin	265	262	242	280	273	310	272	270	233	2407
George Keverian	133	99	144	155	128	143	128	152	127	1209
Dick Kraus	128	107	138	115	128	123	131	100	126	1096
All Others	0	0	0	0	0	0	0	0	1	1
Blanks	<u>67</u>	<u>83</u>	<u>73</u>	<u>75</u>	<u>75</u>	<u>79</u>	<u>62</u>	<u>83</u>	<u>65</u>	<u>662</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

AUDITOR

A. Joseph DeNucci	329	329	339	385	341	395	329	353	317	3117
All Others	0	0	0	0	0	0	0	0	1	1
Blanks	<u>264</u>	<u>222</u>	<u>258</u>	<u>240</u>	<u>263</u>	<u>260</u>	<u>264</u>	<u>252</u>	<u>234</u>	<u>2257</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

REPRESENTATIVE IN CONGRESS 5th Dist.

Chester G. Atkins	368	343	363	386	383	396	370	388	361	3358
All Others	0	0	0	0	0	0	0	0	1	1
Blanks	<u>225</u>	<u>208</u>	<u>234</u>	<u>239</u>	<u>221</u>	<u>259</u>	<u>223</u>	<u>217</u>	<u>190</u>	<u>2016</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

COUNCILLOR 3rd Dist.

Robert B. Kennedy	343	308	328	392	330	382	323	359	303	3068
Edward F. Flood	145	126	168	130	148	167	136	126	144	1290
Blanks	<u>105</u>	<u>117</u>	<u>101</u>	<u>103</u>	<u>126</u>	<u>106</u>	<u>134</u>	<u>120</u>	<u>105</u>	<u>1017</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

SENATOR IN GENERAL CT. 5th Mldsx.

Bryan P. McCarthy	349	336	340	402	352	370	319	377	305	3150
All Others	0	0	0	0	0	0	0	0	1	1
Blanks	<u>244</u>	<u>215</u>	<u>257</u>	<u>223</u>	<u>252</u>	<u>285</u>	<u>274</u>	<u>228</u>	<u>246</u>	<u>2224</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

REPRESENTATIVE IN GENERAL CT. 16th Mldsx.

All Others	0	0	1	0	0	1	1	0	5	8
Blanks	<u>593</u>	<u>551</u>	<u>596</u>	<u>625</u>	<u>604</u>	<u>654</u>	<u>592</u>	<u>605</u>	<u>547</u>	<u>5367</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

DISTRICT ATTORNEY Northern Dist.

Joseph K. Mackey	142	151	137	161	151	143	137	143	153	1318
Thomas F. Reilly	280	251	302	302	243	341	277	277	227	2500
George W. Spartichino	98	94	76	94	119	87	98	96	91	852
All Others	0	0	0	0	0	0	0	0	1	1
Blanks	<u>73</u>	<u>55</u>	<u>82</u>	<u>68</u>	<u>91</u>	<u>84</u>	<u>81</u>	<u>89</u>	<u>80</u>	<u>703</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

REGISTER OF PROBATE Mldsx. Cty.

Thomas J. Larkin	291	279	318	314	290	329	296	311	274	2702
Joseph L. Bradley	170	152	153	180	170	196	153	148	148	1470
Blanks	<u>132</u>	<u>120</u>	<u>126</u>	<u>131</u>	<u>144</u>	<u>130</u>	<u>144</u>	<u>146</u>	<u>130</u>	<u>1203</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

TREASURER Mldsx. Cty.

James G. Fahy Jr.	202	192	216	243	205	237	194	199	165	1853
Warren McManus	95	78	96	97	100	99	87	93	87	832
Kevin J. Palmer	120	118	112	110	120	122	102	126	125	1055
Blanks	<u>176</u>	<u>163</u>	<u>173</u>	<u>175</u>	<u>179</u>	<u>197</u>	<u>210</u>	<u>197</u>	<u>175</u>	<u>1635</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

COUNTY COMMISSIONER Mldsx.

Bill Schmidt	73	86	105	111	93	108	96	90	92	854
Barbara J. Auger Collins	118	93	114	118	107	126	112	121	125	1034
William J. Eckland	59	53	58	62	78	59	61	61	48	539
Francis X. Flaherty	128	118	106	118	106	144	88	107	92	1007
William S. McFarland	51	46	44	60	51	52	49	56	38	447
Blanks	<u>164</u>	<u>155</u>	<u>170</u>	<u>156</u>	<u>169</u>	<u>166</u>	<u>187</u>	<u>170</u>	<u>157</u>	<u>1494</u>
TOTAL	593	551	597	625	604	655	593	605	552	5375

REPUBLICAN PRIMARY ELECTION
September 18, 1990

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	TOTAL
US SENATOR										
Daniel W. Daly	133	139	139	134	152	167	143	120	149	1276
Jim Rappaport	320	333	306	270	409	320	411	317	343	3029
Blanks	<u>49</u>	<u>53</u>	<u>49</u>	<u>41</u>	<u>74</u>	<u>49</u>	<u>73</u>	<u>35</u>	<u>46</u>	<u>469</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

GOVERNOR

Steven D. Pierce	159	181	151	187	208	152	184	149	155	1526
William F. Weld	335	337	341	253	422	371	439	321	377	3196
All Others	0	0	0	0	0	0	1	0	1	2
Blanks	<u>8</u>	<u>7</u>	<u>2</u>	<u>5</u>	<u>5</u>	<u>13</u>	<u>3</u>	<u>2</u>	<u>5</u>	<u>50</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

LT. GOVERNOR

Argeo Paul Cellucci	310	305	293	241	389	342	366	279	313	2838
Peter G. Torkildsen	142	177	147	155	186	138	199	150	173	1467
All Others	0	0	0	0	0	0	0	1	0	1
Blanks	<u>50</u>	<u>43</u>	<u>54</u>	<u>49</u>	<u>60</u>	<u>56</u>	<u>62</u>	<u>42</u>	<u>52</u>	<u>468</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

ATTORNEY GENERAL

Guy A. Carbone	153	187	196	156	182	158	216	175	168	1591
William C. Sawyer	291	262	229	229	365	300	312	240	302	2530
All Others	0	0	0	0	0	1	0	0	0	1
Blanks	<u>58</u>	<u>76</u>	<u>69</u>	<u>60</u>	<u>88</u>	<u>77</u>	<u>99</u>	<u>57</u>	<u>68</u>	<u>652</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

SECRETARY

Paul McCarthy	306	335	311	289	379	365	371	282	350	2988
Blanks	<u>196</u>	<u>190</u>	<u>183</u>	<u>156</u>	<u>256</u>	<u>171</u>	<u>256</u>	<u>190</u>	<u>188</u>	<u>1786</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

TREASURER

Joseph D. Malone	362	380	355	325	436	410	426	315	413	3422
Blanks	<u>140</u>	<u>145</u>	<u>139</u>	<u>120</u>	<u>199</u>	<u>126</u>	<u>201</u>	<u>157</u>	<u>125</u>	<u>1352</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

AUDITOR

Douglas J. Murray	288	321	299	266	365	348	349	273	329	2838
Blanks	<u>214</u>	<u>204</u>	<u>195</u>	<u>179</u>	<u>270</u>	<u>188</u>	<u>278</u>	<u>199</u>	<u>209</u>	<u>1936</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

REPRESENTATIVE IN CONGRESS 5th Dist.

Donal T. Coleman	148	147	113	127	130	140	139	126	136	1206
John F. MacGovern	218	236	245	214	324	272	298	213	281	2301
Blanks	<u>136</u>	<u>142</u>	<u>136</u>	<u>104</u>	<u>181</u>	<u>124</u>	<u>190</u>	<u>133</u>	<u>121</u>	<u>1267</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

COUNCILLOR 3rd Dist.

Thomas F. Healy	291	321	292	268	367	348	351	269	329	2836
Blanks	<u>211</u>	<u>204</u>	<u>202</u>	<u>177</u>	<u>268</u>	<u>188</u>	<u>276</u>	<u>203</u>	<u>209</u>	<u>1938</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

SENATOR IN GENERAL CT. 5th Mldsx.

Lucile "Cile" Hicks	335	337	349	320	429	396	435	303	392	3296
Blanks	<u>167</u>	<u>188</u>	<u>145</u>	<u>125</u>	<u>206</u>	<u>140</u>	<u>192</u>	<u>169</u>	<u>146</u>	<u>1478</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

REPRESENTATIVE IN GENERAL CT. 16th Mldsx.

Carol C. Clevon	323	341	355	285	429	403	444	317	344	3241
Nicholas Theochaes	162	155	126	146	184	114	163	137	186	1373
Blanks	<u>17</u>	<u>29</u>	<u>13</u>	<u>14</u>	<u>22</u>	<u>19</u>	<u>20</u>	<u>18</u>	<u>8</u>	<u>160</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

DISTRICT ATTORNEY Northern Dist.

All Others	2	1	0	0	4	0	2	1	2	12
Blanks	<u>500</u>	<u>524</u>	<u>494</u>	<u>445</u>	<u>631</u>	<u>536</u>	<u>625</u>	<u>471</u>	<u>536</u>	<u>4762</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

REGISTER OF PROBATE Mldsx. Cty.

Donna M. Lambert	315	349	318	297	405	366	381	286	333	3050
Blanks	<u>187</u>	<u>176</u>	<u>176</u>	<u>148</u>	<u>230</u>	<u>170</u>	<u>246</u>	<u>186</u>	<u>205</u>	<u>1724</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

TREASURER Mldsx. Cty.

Walter Fish	311	340	308	283	389	358	370	275	317	2951
Blanks	<u>191</u>	<u>185</u>	<u>186</u>	<u>162</u>	<u>246</u>	<u>178</u>	<u>257</u>	<u>197</u>	<u>221</u>	<u>1823</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

COUNTY COMMISSIONER Mldsx. Cty.

All Others	2	0	0	1	0	0	1	2	0	6
Blanks	<u>500</u>	<u>525</u>	<u>494</u>	<u>444</u>	<u>635</u>	<u>536</u>	<u>626</u>	<u>470</u>	<u>538</u>	<u>4768</u>
TOTAL	502	525	494	445	635	536	627	472	538	4774

ANNUAL TOWN MEETING October 1, 1990

The Annual Town Meeting was called to order at 7:40 p.m. at the McCarthy Middle School Auditorium by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 141 Representative Town Meeting Members present.

The Moderator pointed out the fire exits located within the hall. Selectman Ready announced that the Holiday Decorating Committee is having a fund raiser and listed the names of people to contact.

Selectman Bonita Towle moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Towle then moved that the reading of the entire warrant be waived. It was so voted, unanimously.

The Moderator asked to allow Mary Mahoney a non-resident who is the Director of the Library to address the Town Meeting Body if need be from time to time. Motion carried, unanimously.

UNDER ARTICLE 1 Selectman Bonita Towle moved that the Town vote to hear reports of the Town Officers and Committees.

The Moderator explained that there were three committee reports to be heard and that he would take them in alphabetical order.

The Blueprint 2000 Committee: The Town Manager Bernard Lynch explained that this committee was formed ten months ago. The members are one board member from the Board of Selectmen, Finance Committee, School Committee, also the Town Manager and the School Superintendent. It's a strategic planning Committee which will look at the long term plans of the community and assess the Town's needs for the next five to ten years. He asked each Town Meeting Member to have ten residents of their precincts fill out and return a questionnaire that he is providing them with for actual input.

The Moderator asked for a motion, which was so moved to accept the report as given. He then asked for a voice vote to accept the report given, motion carried.

The By-Law Committee: Thomas Doyle, Chairman of the Committee explained that this five member committee was formed due to the adoption of the Charter. The purpose is to review any and all existing Town By-laws and make recommendations to conform them with the provisions of the charter. The Committee submitted their recommendations which appears as articles 9, 18, and 19, of the warrant.

The Moderator asked for a motion, which was so moved to accept the report as given. He then asked for a voice vote to accept the report given, motion carried, unanimously.

Code of Ethics Committee: John Coddaira, Chairman of the Committee gave a brief presentation. The Committee was also formed as a result of the Charter adoption. The seven member board was appointed by the Moderator with the purpose of preparing a code of ethics for the Town of Chelmsford. The Code of Ethics shall be applicable to all elected and appointed officials and town employees. The Committee's recommendation appears as article 14 in the warrant.

The Moderator asked for motion, which was so moved to accept the report as given. He then asked for a voice vote to accept the report given, motion carried, unanimously.

UNDER ARTICLE 2 Town Manager Bernard Lynch explained that when the Annual Town Meeting ended in June the Town had a balanced budget. Since then, three budgetary alterations have taken place which resulted as a shortfall of \$1.6 million dollars. The Massachusetts Legislature reneged on a commitment to level fund local aid. This resulted in a loss of \$598,551.00. The availability of free cash to be appropriated is only \$478,010.00, a loss of \$677,000. This is due to outstanding property taxes which are nearly 75% above normal. Foreclosures and challenged assessments account for much of this increase. The decrease in the Town Managers projections for miscellaneous receipts by \$236,523.00. The majority of this reduction is in motor vehicle excise tax receipts which actually decreased in FY90.

He said by using the remaining monies of the Brookline decision, the budget shortfall problem can immediately be reduced by \$392,810.00 through borrowing for approved capital items rather than appropriating funds. By decreasing the appropriation for employee health insurance trust fund by \$200,000.00. This still leaves the Budget shortfall of \$1.012 million dollars. This figure has been divided in half with the Town and School both reducing their budgets by \$506,430.00.

He then went through a list of reductions under the town side, citing his recommended and amended figures. The General Government was reduced by restructuring the Veterans, and Town Manager's Office personnel. Hiring a new Town Accountant at a lower rate. Employee's benefits in the area of sick time buy back for non-union employees. Traffic and Safety Expenses have been reduced. The Salary account will be reduced by \$4,500.00, and the expenses have an amended figure of \$291,000.00. He felt that at the end of his presentation the School Department would give their recommendations, but he is recommending the amended figure of \$496,000.00. Under Public Safety he recommended a reduction in salaries with an amended figure of \$245,000.00, and expenses by \$2,000.00. He was cutting back on the travel allowance and miscellaneous expenses in the Inspection Department. Within the Police Department it would be reduced in salaries. By working with the Chief hopefully due to the elimination of the Highway Superintendent position, additional monies are available and may avoid layoffs for some time. But clearly there would be a reduction in overtime, and reorganization due to the retirement of the Deputy Chief may save additional money. The Fire Department will still be able

to keep the West Fire Station opened. What will occur will not be the filling of the 3rd man position at the North Fire Station. South, East, and West stations will have two men. Public Works, reducing the salaries by \$35,252.00, by eliminating the Highway Superintendent's position and reorganization will take place. Cutting back in overtime, careful of call outs, when they occur reclassify the position to reduce it to part-time people, the expenses would be reduced by \$54,825.00, by cutting back on road repairs. The Sewer Department's out of state travel would be reduced by \$1,500.00 and Snow and Ice account would be reduced by \$20,000.00. Community Service salaries would be reduced by \$11,500.00. By eliminating the Veteran's clerical staff by combining with the Council on Aging facilities. The Council on Aging Clerk's clerical hours would be increased from 20 to 30 hrs. Due to this reorganization eventually the Council on Aging's Director will assume some of the Veteran Agent's responsibilities. Expenses would be reduced by \$24,738.00. The reduction will be under miscellaneous expenses of Elder Affairs. And without effecting services a great deal, the Health Department's reduction in the Mosquito Control & Hazardous Waste Day programs. Under the Community Services, the Library is reducing in salaries by \$6,459.00 and books and periodicals by \$24,738.00. The Cemetery Department will reduce the salaries by \$3,418.00 and expenses by \$2,950.00. He felt that these cuts were made with the minimal impact to the citizens of the Town. Both libraries will be kept open, along with all the fire stations. Most of the programs were kept in tact. Some personnel have been reduced due to the reorganization process. He stressed that none of the cuts were easy particularly for the department heads. If these cuts aren't made tonight then next year's level funded budget could have a shortfall of \$1.4 million dollars. He asked for the body's support on his decisions.

The Moderator read the motion again with the figures which were to be amended. Town Manager Bernard Lynch moved to amend the following figures: Under General Government Line item 2 expenses \$291,000.00. Chelmsford School Department Line item 6 total Budget \$496,000.00. Public Safety Line item 8 Salary \$245,000.00. Public Works Line item 12 Salary \$34,252.

The Finance Committee recommended the motion to amend. The Moderator explained that he would go through each section and ask for any discussion. He read the General Government thru Chelmsford School Department. Richard Codling spoke about the continuing asbestos removal program being done and urged for it to stop, and to come up with a system to avoid the additional expenses that occur when snow removal is done on weekends. Andrew Alinish wanted to hear the School Committee's recommendation. Chairman Wendy Marcks said it was the School Committee's intent to leave the Town Meeting with a balanced budget. The Committee had to adjourn their scheduled meeting tonight due to the beginning of the Town Meeting, but would continue the meeting after the adjournment of the Town Meeting. At which time a formal vote would be taken on where the cuts would be made. The vote would be based on the Town Meeting's action of the figure voted for the total School budget. The Superintendent did have a presentation prepared to show where the cuts would be made, if the body wanted to hear it. The

Moderator asked for a show of hands of those interested in hearing Superintendent Moser's presentation. Motion carried. Superintendent Moser gave a list of reductions. \$276,237.00 under staffing would be reduced. Under Program Operations \$60,175.00. Under Supplies and Equipment \$107,813.00. And under substitutes a reduction of \$61,775,000. He then proceeded to explain what the actual reductions would be. Every student in general will be effected by these cuts. A discussion took place. Grace Dunn spoke against the proposed cuts. The Moderator read further along where under Community Services Library Trustee, Janet Hendl, expressed the Trustee's concerns about the cuts being made under the Library budget. William Keohane spoke about the Town's responsibility to maintain it's operating budget on its own. The community shouldn't depend on the state or federal government's help. The Moderator asked for a voice vote on the motion to amend. Motion carried. He then asked for a voice vote on the article as amended, motion carried, unanimously. The article reads as follows:

Town Manager Bernard Lynch moved that the town vote to decrease the sum of money to be raised and appropriated to defray Town charges for the fiscal period from July 1, 1990 to June 30, 1991 by the sum of \$1,212,467.00 by decreasing the following line items of the Fiscal 1991 Budget:

LINE	ACCOUNT	DECREASE
	General Government	
1	Salary	4,500.00
2	Expenses	291,000.00
	Chelmsford School Department	
6	Total Budget	496,000.00
	Public Safety	
8	Salary	245,000.00
9	Expenses	2,000.00
	Public Works	
12	Salary	35,252.00
13	Expenses	54,825.00
14	Out of State	1,500.00
16	Snow and Ice	20,000.00
	Community Services (Human Services)	
17	Salary	11,500.00
18	Expenses	13,325.00
	Community Services (Cult. and Recreation)	
21	Salary	6,459.00
25	Books and Periodicals	24,738.00
	Cemetery Department	
28	Salary	3,418.00
29	Expenses	2,950.00
	Total	1,212,467.00

UNDER ARTICLE 3 Town Manager Bernard Lynch moved that the Town vote to instruct the Board of Assessors to issue the sum of \$478,010.00 from Free Cash in the Treasury for the reduction of the fiscal year 1991 tax rate.

The Town Manager Bernard Lynch, explained that this is part of the budget process balancing and asked for support. The Finance Committee and the Board of Selectmen supported the article. A discussion took place. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 4 Town Manager Bernard Lynch moved that the Town vote to amend its action taken under Article 8 of the June 4, 1990 Annual Town Meeting by reducing the sum of money to be raised and appropriated by \$392,810 and by increasing the sum of money to be borrowed by \$392,810.00 for a total sum to be borrowed \$1,311,955.00.

Bernard Lynch explained the article. The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried unanimously.

UNDER ARTICLE 5 Treasurer James Doukzewicz moved that the Town vote to rescind the balance of the authorized but unissued debt under Article 10 of the 1989 Annual Town Meeting in the amount of \$150,000.00.

James Doukzewicz explained the article. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 6 Thomas Firth, Chairman of the Planning Board moved that the Town vote to amend the Chelmsford Zoning By-law Section 2600 INTENSITY OF USE SCHEDULE, by deleting "15" under Maximum Building Coverage Percent in the CA District (NEIGHBORHOOD COMMERCIAL) and inserting "30."

Planning Board Member Christine Gleason explained the purpose of the article. The property owner's representative came before the Planning Board citing that when the zoning master plan was done in 1986 the intensity and use schedule reflected a change that wasn't intended. The CA zone should have been kept at 30%. Instead a change of 15% was added. After researching the issue the board recommended to amend the zoning section. She then read the Board's recommendation. "The Planning Board held a public hearing on September 12, 1990 and voted unanimously (6-0) to recommend amendment to the Chelmsford Zoning by-law section 2600 (Intensity of Use Schedule), by deleting '15' under Maximum Building Coverage Percent in the CA District (Neighborhood Commercial and inserting '30;' or act in relation thereto." A discussion took place. The Finance Committee and Board of Selectmen are in favor of the article. Sue Olsen requested to have the owner of the property identified and questioned the location of the property. The owner was Raymond Carye and the area is the Chelmsford Mall located on Rt. 110. A discussion took place. It was stated that the individual presently owes payment on real estate tax bills. The property is being appealed to the Appealant Tax Board. Plus there are other areas in town where the CA zone exists that this effects. A number of Representatives spoke against the article. Robert Sexton moved to table the article. The Moderator asked for a voice vote which left the chair in doubt. The following tellers came forward and a hand count was taken:

Michael McCall, Patrick Calnan, Helen Manahan, Dorothy Frawley.

Result Yes 59 No 66, motion defeated, the discussion continued.

Donald Keirstead spoke in favor of the article. The non-payment of the real estate taxes shouldn't be the issue at hand. This property and any other listed in a CA zone shouldn't be kept non-conforming because of an oversite. John Emerson cautioned the Representatives on their comments being made, they could be held liable. Sue Olsen questioned if a possible lawsuit could be initiated as a result of non-passage of the article. Town Counsel James Harrington expressed that the issue shouldn't be influenced by the non-payment of taxes. The Moderator asked for a voice vote on the article. Motion defeated, John Emerson requested "that it be written into the Town Meeting minutes as being opposed to that vote."

UNDER ARTICLE 7 Chairman of the Planning Board Thomas Firth, explained the purpose of the article. The land in question was located between the old Town Hall and Fire Department on North Road. It was listed as "P" public instead of RA residential. He then read the Board's recommendation: "The Planning Board held a public hearing of September 12, 1990 and voted unanimously (6-0) to recommend a vote to amend the Zoning By-law and Zoning Map to change from Public District (P) to Residential District (RA) for Parcel I/1-3 North Road and Parcel II/5 North road; or act in relation thereto."

The Finance Committee recommended the article. The Board of Selectmen have no recommendation. The Moderator asked for a voice vote, motion carried, unanimously. The article reads as follows:

Thomas Firth, Chairman of the Planning Board moved that the Town vote to amend the Zoning By-law and Zoning Map to change from Public District (P) to Residential A District (RA) the following described parcels:

Parcel I. A certain parcel of land located at I-3 North Road on the easterly side of said North Road containing 10,786 square feet of land more or less and being shown on Assessors Map 104 as Lot 40 and being bounded and described as follows:

BEGINNING at the southwesterly corner of said premises on the easterly side of said Road and at the northwesterly corner of land of the Town of Chelmsford; thence Easterly by said Town land, one hundred forty-five feet to a corner; thence Northerly still by said Town land and by land supposed to belong, now or formerly, to Theodore W. Emerson, sixty-seven feet to land conveyed by Mary Elizabeth Richardson to Leslie Richardson Davis by deed dated October 30, 1907, recorded with Middlesex North

District Registry of Deeds, Book 441, page 492; thence Westerly by said last mentioned land, one hundred forty-two and 70/100 feet to said North Road; thence Southerly along said Road, eighty feet to the point of beginning; or however otherwise said premises may be measured, bounded or described.

Parcel II. A certain parcel of land located at 5 North Road on the easterly side of said North Road containing 9,853 square feet more or less and being shown on Assessors Map 104, Lot 39 and being bounded and described as follows:

BEGINNING at the Northwestern corner of the granted premises at said road and at land belonging to the Town of Chelmsford, known as the "Schoolhouse Lot;" thence running:

EASTERLY along said last named land one hundred thirty-eight and 67/100 (138.67) feet to land now or formerly of James P. Emerson; thence running

SOUTHERLY along said last named land, seventy and 16/100 (70.16) feet to land now or formerly of Mary Elizabeth Richardson; thence running

WESTERLY along said last named land, one hundred forty-two and 70/100 (142.70) feet to said road; thence running

NORTHERLY along said road, seventy (70) feet to the point of beginning.

UNDER ARTICLE 8 The Moderator read the article. Chief of Police Raymond McKeon explained the article. Due to a situation that occurred in another town during the summer, it was felt that the Town's present soliciting by-law should be amended to reflect more stringent rules and regulations. The Finance Committee spoke in favor of the article, but questioned the non-profit organization wording. A discussion took place. Dennis Ready moved to amend the first paragraph by inserting the words "for profit" before organization in the last sentence. And at paragraph 4 delete the word "and" after forenoon and insert the word "or after." The Moderator asked for a voice vote, motion carried. Linda Allen moved to amend the second paragraph by adding The Police Chief may waive the \$25.00 fee at his discretion. A discussion took place. It was felt that the Police Chief shouldn't have to decide on waiving the required fee for any person or organization. The Moderator asked for a voice vote, motion defeated. Robert Joyce questioned if this would apply to businesses. It was answered as yes. The Moderator asked for a voice vote on the article as amended, motion carried, unanimously. The article reads as follows:

Selectman Bonita Towle moved that the Town vote to amend the General By-laws by deleting Article VI Police Regulations Section 16 Solicitors and inserting in its place the following:

Section 16 Licensing of Solicitors

1. It shall be unlawful for any person to solicit orders, or subscription for goods or services, or to sell goods or services door to door, in the Town without first having registered with the Police Department. The registrant shall provide proof of identification, his signature, the name of his employer, the type of products or services which he or she is soliciting, and such other information as may be requested by the Police Department. Each person soliciting in the Town on behalf of a corporation, business, or other for profit organization shall be required to register with the Police Department.
2. Each person shall pay to the Police Department at the time of registration an annual registration fee of twenty-five dollars.
3. a) Each person who pays the fee provided herein shall be furnished a permit indicating that he or she has registered and showing the dates covered by such registration.
- b) Each person shall at all times while soliciting in the Town carry upon his person the registration permit and the same shall be exhibited by such person whenever required to do so by any police officer or by any person solicited.
- c) In addition to the permit, the Town shall issue an identification badge to every person registered hereunder. Permittees shall wear their badges in such a manner that the badges may be easily read while transacting business. If badge becomes damaged or obscured, the permittee shall return it to the Town and receive another badge. Badges issued hereunder shall conspicuously state that the Town of Chelmsford does not endorse the goods or services being solicited.
- d) Permits and identification badges shall be used only by the person to whom they were issued, and may not be transferred or extended to include any other person.
4. There shall be no door to door solicitation or selling before 9 o'clock in the forenoon or after 6 o'clock in the afternoon.
5. Any permit issued under this ordinance may be suspended or revoked by the Chief of Police for any of the following reasons:

- a) Fraud or misrepresentation in the application of the permit;
 - b) Fraud or misrepresentation in the course of soliciting;
 - c) Conducting the business of soliciting contrary to the conditions specified in this by-law.
 - d) Conducting the business of soliciting in such manner as to violate any of the laws or regulations of the Commonwealth of Massachusetts or the Town of Chelmsford.
6. Any person who violates any provision of this by-law shall be punished by a fine not exceeding \$200.00.

UNDER ARTICLE 9 Edward S. Marshall, member of the By-law Committee moved that the Town vote to authorize the appointment of a multiple member Rules Committee consisting of the Moderator and one Town Meeting Representative from each precinct to be elected by the incumbent Town Meeting Representatives within each precinct, for the purpose of proposing rules of order for the orderly conduct of town meeting. The committee shall submit their proposal no later than the next October session of the Annual Town Meeting.

Jane McKersie, Member of the By-law Committee explained the article. The Finance Committee and the Board of Selectmen were in favor of the article. Robert Joyce questioned the fact that an even amount of people are members, and moved to amend the article. He moved to add after the word precinct in the fifth sentence "a member of the By-law Committee to be appointed by them." A discussion took place. The Moderator appointed the Town Counsel at this time to take over the rest of the discussion and vote of the article. He felt that because he appointed this committee that there was a conflict. Town Counsel James Harrington acting as the Temporary Moderator, proceeded with the meeting. The Temporary Moderator asked for a voice vote on the motion. Motion defeated. Robert Sexton moved to amend the article by adding "the Moderator as a non-voting member." And "this committee will expire upon presentation of their recommendation to Town Meeting." More discussion took place. The Temporary Moderator asked for a voice vote, motion defeated. He then asked if there was any need for further discussion. Robert Joyce moved the question. The Temporary Moderator asked for a voice vote. A unanimous or $\frac{3}{4}$'s vote is needed. The tellers came forward and conducted a hand count: Yes 93 No 15 $\frac{3}{4}$'s is 72, motion carried to stop debate. The Temporary Moderator asked for a voice vote on the article. Motion carried.

Moderator Dennis McHugh returned to the Chair and the meeting continued.

UNDER ARTICLE 10 Thomas Moran proponent of the petitioned article moved to withdraw the article due to the passage of article 9. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 11 Town Clerk Mary E. St. Hilaire, moved that the Town vote to amend the General By-Laws article VII Miscellaneous, Section 1 Dog Regulations Subsections 5 by increasing fees as follows:

The fee for every kennel licenses shall be as follows:

Forty Dollars (\$40.00) for every kennel license for 4 dogs or less.

Eighty Dollars (\$80.00) for every kennel license for over 4 dogs but not over 10 dogs.

One Hundred Fifty Dollars (\$150.00) for every kennel license for over 10 dogs but not over 25 dogs.

Town Manager Bernard Lynch explained that these fees should have been increased when the actual individual dog licenses were increased at the past June Town Meeting from \$5.00 to \$10.00 per dog. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 12 Town Manager Bernard Lynch moved that the town vote to transfer the sum of \$5,000.00 from the Insurance Sinking Fund, to General Government Expenses, Line item #2, for the purpose of insurance deductible reimbursement.

The Finance Committee was in favor of the article. Motion carried.

UNDER ARTICLE 13 Selectman Bonita Towle moved that the Town vote to authorize the Board of Selectmen to convey in accordance with MGL Chapter 30B, for consideration to be determined, all right, Title and interest, if any, held by the Town in a certain parcel of land located on Wightman Street, shown as Lot 14 on Assessors Map 19, containing 5,300 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2866, page 71.

Town Manager Bernard Lynch, explained that under this law all property valued over \$500.00 must go out for public bid. The above described property does exceed \$500.00 in value, and this will allow the Board of Selectmen to process the sale accordingly. The Finance Committee was in favor of the article. Motion carried, unanimously.

Selectman Bonita Towle moved to adjourn the meeting until 7:30 p.m., Monday evening October 15, 1990, at the McCarthy Middle School Auditorium. Motion carried, unanimously. The meeting adjourned at 11:05 p.m.

Dennis E. McHugh
Moderator

Mary E. St. Hilaire
Town Clerk

ADJOURNED ANNUAL TOWN MEETING October 15, 1990

The Annual Town Meeting was called to order at 7:42 p.m. at the McCarthy Middle School Auditorium by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 129 Representative Town Meeting Members present. The Moderator announced this would be the last town meeting for Finance Member Donald Elias, and thanked Mr. Elias for his years of service.

UNDER ARTICLE 14 Barry Balan moved to waive the reading of the article. Motion carried. John Coddaira, Chairman of the Code of Ethics Committee, explained the article. The Charter mandated that the Moderator appoint a seven member board to prepare a Code of Ethics for the Town of Chelmsford. The Committee held a public hearing on July 11, 1990, and recommends the article before the body. The State of Massachusetts already has a conflict of interest law on the books. The purpose of this by-law is to be an awareness law. To educate elected and appointed officials and all Town Employees of possible conflicts that they may be unaware of. The Finance Committee recommended the article. The Board of Selectmen support the article.

Edward Hilliard moved to amend the article. Under Section C. Paragraph #2 to add the words "paid employment," in the 3rd sentence after the words "includes but is not limited to" so that the sentence reads as follows: "Substantial value includes but is not limited to paid employment, additional compensation, waived fees, ...etc." The Finance Committee could not make a recommendation at this time, they requested further discussion. Edward Hilliard explained the purpose of his motion. A discussion followed. Andrew Slinish moved the question. The Moderator asked for a voice vote on the motion, which carried. He then asked for a voice vote on the motion to amend, it was defeated. More discussion took place. Edward Hilliard moved to amend the article. Under Section C to add a 13th paragraph to read as follows:

"13. Municipal employees shall not perform private duty details in uniform in any establishment that serves alcoholic beverages." He then explained the purpose for the amendment. The Moderator asked for a voice vote on the motion to amend. Motion defeated. Loretta Gelenian questioned the wording in Paragraph 4 and 5, and moved to delete them in their entirety. John Coddaira, Chairman of the Ethics Committee, spoke against the motion to amend. Loretta Gelenian moved to withdraw the motion due to the fact that she wanted to reword the motion. The Moderator asked for a voice vote, motion carried. Loretta Gelenian moved to amend Section C Paragraph #4 to insert the words "acting on Town business" after the words "Municipal Employees." And to amend Paragraph #5 in Section C the same way. The Moderator asked for a voice vote, motion defeated. James Doukzewicz moved to delete Section C Paragraph #2 in its entirety. Town Counsel ruled the motion out of order because Mr. Doukzewicz is not a Town Meeting Member, and only a member may make motions. David McLachlan, Code of Ethics member, explained the purpose for this article. Steven Temple ques-

tioned why the Town needed to have this by-law if it was already a state law? John Coddaira explained that the Charter required the Town to have its own separate Code of Ethics. Kathleen Hillman moved to delete Section C Paragraph #2 in its entirety. She said that she agreed with Jim Doukzewicz's concept. David McLachlan explained why the Board felt that this paragraph should not be deleted. The Moderator asked for a voice vote, motion defeated. More discussion took place. Kay Roberts moved to Amend Section C Paragraph #4 & #5 as follows:

"4. After the word Chelmsford, add "And with whom the municipal Employee has had or is likely to have official dealings."

5. After the word Chelmsford, add the same as above."

John Coddaira said that the Committee was in favor of the motion. The Finance Committee recommended the motion. The Moderator asked for a voice vote, motion carried to amend. He then asked for a voice vote on the article as amended. This left the Chair in doubt, he asked for a show of hands, motion carried. The article reads as follows:

Daniel W. Burke, Member of the Code of Ethics, moved that the town vote to amend the General By-laws by adding Article XIII, Code of Ethics as follows:

ARTICLE XIII CODE OF ETHICS

A. WHO THE BY-LAW GOVERNS

This By-Law governs all municipal employees. A municipal employee is a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consulting basis, but excluding (1) elected members of a Town Meeting and (2) members of a charter commission established under Article LXXXIX (89) of the Amendments to the Constitution.

B. PURPOSE

The purpose of this By-Law is to ensure that municipal employees' private financial interests and personal relationships do not conflict with their public obligation to act objectively and with integrity. This By-law is written to prevent municipal employees from becoming involved in a situation which could result in or give the appearance of unethical or illegal behavior. This By-law restricts what municipal employees may do on the job, after hours and after leaving public service.

It is essential for the continued well-being of the Town of Chelmsford that its citizens have full confidence in the integrity of its municipal employees. The Town of Chelmsford desires to promote such confidence by demanding the highest standards of ethical conduct for each

municipal employee. It is required that municipal employees conduct themselves in a way that their behavior, both in practice and appearance, conform to the highest standards of ethical conduct. The Town of Chelmsford recognizes the Massachusetts Conflict of Interest Law (Chapter 268A of the General Laws) as the basis for setting the minimum standard of ethical conduct for all municipal employees. It is considered an integral component of this By-law and should read in its entirety.

C. WHAT THE BY-LAW PROHIBITS

This By-law provides that municipal employees for the Town of Chelmsford will "pay their own way." Municipal employees must avoid conduct which creates the impression that they will act with bias.

1. Municipal employees shall not engage in the most obvious kind of corruption: bribery. Massachusetts law imposes criminal penalties, not only on municipal employees who seek or receive payoffs or kickbacks, but also on anyone who bribes or attempts to bribe a public official for any action or inaction.
2. Municipal employees shall not request, accept or offer anything of "substantial value" from or to anyone with whom the municipal employee has had or is likely to have official dealings even if the motivation for the gift is to express gratitude for a job well done or to foster goodwill. The Town of Chelmsford deems "substantial value" to be \$50.00 or more in any calendar year. Substantial value includes but is not limited to additional compensation, waived fees, sporting event tickets, golf outings, parties, meals, discounts, gift certificates, entertainment, and refreshments at testimonials, retirement functions and ground breaking and dedication ceremonies. Free or discounted services such as construction or accounting work are considered gifts. The purchase of property at less than full market value, from any entity having matters before any town Board or Agency is strictly prohibited.
3. Municipal employees shall not solicit contributions, sell tickets or otherwise seek or accept payment for a testimonial or retirement function, or any function having a similar purpose, held for themselves, for a member of their immediate family, or other employee, if the contributor is a person or entity doing business with the Town of Chelmsford and the admission price or payment exceeds the actual per-person cost of the food and beverages served at the function. Municipal employees shall not request or require any person or entity to sponsor or contribute to any groundbreaking ceremony, dedication

ceremony or similar occasion. The Town of Chelmsford, if it deems the occasion appropriate, shall plan and pay for the ceremony.

4. Municipal employees shall not accept reimbursement for travel expenses from any person or entity having business with or wishing to do business with the Town of Chelmsford. And with whom the municipal Employee has had or is likely to have official dealings. Municipal employees shall not utilize private aircraft for travel, whether business or pleasure, this is owned, leased or rented by entities doing business with or wishing to do business with the Town of Chelmsford and with whom the municipal Employee has had or is likely to have official dealings. Travel expenses for municipal employees for municipal business shall be paid by the Town.
5. Municipal employees shall not use the non-business facilities of entities having financial contracts with or wishing to have financial contracts with the Town of Chelmsford. And with whom the municipal Employee has had or is likely to have official dealings. This includes but is not limited to, staying at vacation spots, lodges, or condominiums.
6. Municipal employees are prohibited from taking action on any "particular matter" as defined in Chapter 268A of the General Laws which would affect their own financial interest or the financial interest of:
 - a. their immediate family (themselves, their spouse, children, parents, brothers and sisters);
 - b. their partner(s);
 - c. a business organization in which they serve as an officer, director, trustee, partner, silent partner, or employee (including a non-profit organization); and
 - d. any person or organization with whom they are negotiating or have any arrangement concerning future employment.

An exception is available to appointed municipal employees who may act on a matter in which they, their family or business has a financial stake, providing that they receive written permission from their appointing official prior to taking the action.

7. Municipal employees shall not participate in any way in the hiring, promotion, performance review or salary recommendation of any immediate family member. An exception

is available to appointed municipal employees who may act on a budget affecting an immediate family member's financial interest provided that they receive written permission from their appointing official prior to taking the action.

8. Municipal employees shall not use their position to benefit from municipal contracts and must avoid conduct which creates the public perception that municipal employees have an "inside track" on obtaining municipal contracts or jobs.
9. Municipal employees shall not use or attempt to use their municipal position to obtain unwarranted privileges for themselves or anyone else. Municipal employees shall avoid conduct which creates the impression that they can be improperly influenced or that they will act with bias. Municipal employees are prohibited from misusing confidential information obtained on the job and from accepting outside employment which is inherently incompatible with their public position.
10. Municipal employees shall not act as agent or attorney for a private party before the Town. There are exceptions which are covered under Chapter 268A of the General Laws, Section 17.
11. Former municipal employees shall not derive unfair advantage by misusing friendships formed or confidential information obtained while serving the Town.
12. Municipal employees shall not use Town property or any kind, either directly or indirectly, for other than officially sanctioned activities, except to the extent that said property is available to the public.

D. RESPONSIBILITIES OF APPOINTING AUTHORITY:

Appointing authorities shall appoint only those persons who do not have vested interests in any matter coming before that persons' appointed body which would violate or give the appearance of violating the provisions of this By-Law.

E. IMPLEMENTATION OF BY-LAW

All municipal employees are required to be familiar with the standards of this By-Law. A procedure for the proper orientation of each individual is hereby established:

The Town Manager and the Superintendent of Schools shall jointly develop a program to annually inform and educate all municipal employees of the required standards of conduct. The Town Manager and the Superintendent of Schools shall develop a program to inform and educate all incoming municipal employees of said

standards of conduct. They shall include in their program, as a minimum, a procedure that will produce for the Town's records a signed document from each municipal employee indicating that each individual has read this By-Law and is familiar with the requirements of Chapter 268A of the Massachusetts General Laws.

The Town Manager shall place the State Ethics Commission publication entitled "A Practical Guide to the Conflict of Interest Law for Municipal Employees" conspicuously in the Town Manager's and Town Clerk's office and shall provide copies for placement in all public buildings for the benefit of all municipal employees and the public.

All citizens and municipal employees shall regularly be made aware that if they believe a violation of this By-Law has occurred or is occurring, they should call or visit the State Ethics Commission's enforcement staff, or they may speak with the Town Manager or the Superintendent of Schools.

The Town Manager and the Superintendent of Schools shall report to the State Ethics Commission any suspected violations of the State Conflict of Interest Law. The Town Manager and the Superintendent of Schools shall report annually to their Respective Boards the educational initiatives they have taken to comply with this By-Law. They shall also report the status of alleged violations brought to their attention which report shall only be statistical in nature.

When a violation of this By-Law has occurred, administrative action as is warranted shall be taken by the appropriate authority.

If any provisions of this By-Law shall be held to be invalid, the validity of the remainder of this By-Law shall not be affected thereby.

UNDER ARTICLE 15 Barry Balan moved to waive the reading of the article. Motion carried. James McBride of the Conservation Commission explained the article. The Board of Selectmen wanted to hear further comments before making their recommendation. Attorney Joseph Shanahan representing Louise Harrington, addressed the Body. He explained that Mrs. Harrington owned a piece of property in the town since 1908, questioned the wording of "within 50 feet." He said that this does not leave any appeal process within the Town boards. The only way an appeal can be made is thru the Superior Court System. Which can be a costly and lengthy process for both the public and Town to go through. He felt that a public hearing should be held and any decision be made from the hearing. Jeffrey Brem moved to amend Section 2 by replacing the words fifty feet with twenty-five feet, so it reads "Shall be prohibited within 25' of any bank.... He said that the Board of Appeals should be able to make a decision on the matter. The public shouldn't have to go through the Superior Court. The Finance Committee didn't recom-

mend the motion. The Moderator asked for a voice vote, motion defeated. Further discussion took place. Joseph Shanahan questioned the legality of the fifty feet wording. Town Counsel, James Harrington said that the Attorney General would make the final decision once the by-law is submitted to him. Robert Joyce moved to amend the article by adding to the end the following paragraph: "If any provision of this amendment shall be determined to be invalid, the validity of the remaining portion of the amendment shall not be affected thereby." The Moderator asked for a voice vote, motion carried. More discussion took place. Fran McDougall moved the question to stop debate. The Moderator asked for a voice vote, motion carried. He then asked for a voice vote on the article as amended, which left the Chair in doubt. He then asked for a show of hands, motion carried. The article reads as follows:

David J. McLachlan, Member of the Conservation Commission, moved that the Town vote to amend the General By-Laws Article XI General Wetlands By-Laws as follows:

1. Deleting the first paragraph of Section 6 Order of Conditions in its entirety and insert in its place the following:

Section 6: Order of Conditions

If after said hearing, the Conservation Commission determines that the land on which the proposed work is to be done is significant to the interests protected by this By-Law, it shall by written order, within 21 days or such further time as the Commission and applicant shall agree upon, impose such conditions reasonably necessary for the protection of interests described herein and all work shall be done in accordance therewith. The Conservation Commission may impose such conditions on any proposed removing, dredging, filling or altering as it deems necessary to protect and preserve the interests covered by this By-Law. Such Order of Conditions shall be in writing and may be subject to the same constraints as any such order issued by the Chelmsford Conservation Commission under the provisions of G.L. 131, Section 40, or successor statutes, and shall be issued within 21 days after the Public Hearing. Such Order of Conditions shall expire 3 years from the date of issuance. The Conservation Commission may extend an Order of Conditions for one or more periods of up to three years each. The request for an extension shall be made to the Conservation Commission in writing at least thirty (30) days prior to expiration of the Order of Conditions. The Commission may deny the request for an extension and require the filing of a new Notice of Intent for the remaining work. No proposed work governed by an Order of Conditions shall be undertaken until all permits, approvals, and variances required by the local By-Law have been obtained and all applicable appeal periods have expired.

2. Under Section 1, Application, by adding the following sentences:

Provided however that the construction of any building as defined herein on any lot having an area of 40,000 square feet or more, shall be prohibited within fifty (50) feet of any bank, fresh water wetland, beach, flat, marsh, meadow, bog, swamp, or lands bordering or on any estuary, creek, river, stream, or lake or any land under said waters.

Construction of a building shall not include any reconstruction, alteration, extension of structural change to a building existing on October 15, 1990.

3. Under Section 16 Definitions by inserting after paragraph e) the following paragraph:
- f) The term building as used in this By-Law shall mean a structure enclosed within exterior walls or firewalls, built, erected, and framed or a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property. For the purpose of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.
4. Under Section 1 Applications by adding the following paragraph:

The Commission shall be prohibited from issuing a permit for any parcel where at least eighty (80) percent of the lot area required by the Zoning By-Law Section 2600 Intensity of Use Schedule, Minimum Lot Requirements, is not contiguous land other than that under any water body or bog, swamp, wet meadow, marsh, or any other wetland as defined in MGL Chapter 131, Section 40;

If any provision of this amendment shall be determined to be invalid, the validity of the remaining portion of the amendment shall not be affected thereby

UNDER ARTICLE 16 Barry Balan moved to waive the reading of the article. Motion carried, unanimously. Petitioner Richard DeFreitas explained why he felt that the present Board of Health Rules and Regulations for Residential Refuse Collection Licensing and disposal should become a town by-law. According to the Attorney General's Office only zoning or general by-laws can be voted or amended by the Town Meeting process. In order for any citizen to change the present Board of Health Rules & Regulations they must become a by-law. Presently only the Board of Health can change their own rules. He asked for support of the article and requested the body not amend the article in any way. He wanted the article submitted exactly as the Board of Health accepted them at their meeting, and let the A.G. decide the legality of them. The Finance Committee did not have an opinion for or against the article. The Board of Selectmen wanted to hear fur-

ther input. Richard DeFreitas felt that the Board should't be allowed to make policy on non-health issues. He went thru the article and pointed out the sections that were in question. A discussion took place. Dennis Ready asked for Town Counsel's opinion on if the article passed which law take precedence for enforcement, the By-law or the Health Rules and Regulations? James Harrington, Town Counsel explained that according to Chapter III of the State Law, the Board of Health has the right to make their own rules and regulations, and enforce them. Confusion could occur because conflicting statutes are established. Paul McCarthy, Board of Health Member, explained that the Board of Health can change their rules and regulations immediately at any time, at any monthly meeting. Time would be lost if the Board had to go thru the Town Meeting process of posting a warrant, and waiting for the Attorney General's approval. The Moderator asked for a voice vote on the article, which left the chair in doubt. He asked for a show of hands. The article was defeated.

UNDER ARTICLE 17 Barry Balan, Chairman of the Sewer Commission, moved that the Town vote to transfer the sum of \$550,000.00 from Sewer betterments, special revenue, to reduce the exempt portions of debt and interest.

Barry Balan explained the article. The Sewer Commission's intent is to apply this money to the betterments to offset indebtedness caused from the cost of sewer construction. The Finance Committee supports the article. It reduces the tax rate and uses the funds for the purpose of which they were intended. Bernard Lynch, Town Manager, cited the different opinions. That over the past ten years the Town Budget has been paying for the operation of the sewer commission, which promised to be self-supporting. An estimation of two million has been spent. The Commission should pay it back by applying it to the budget. If the CLT question passes in November then further budgetary cuts will have to be made it would seem that the money now available should be applied to the operation of the Town. It should be used strictly for the continuation of the sewer program. State and Federal funds are driving up. The money could be used to area's that needed to be done. Finally the money belongs to the taxpayers and should be returned to the taxpayer. He felt that the most rational decision at this time would be to wait until after the CLT question is voted, then apply the funds if need be towards the budget. Dennis Ready spoke in favor of Bernard Lynch's request. Town Treasurer James Doukaszewicz reminded the Town Meeting Representatives that this is a townwide issue. Additional monies will be available at the end of the third quarterly tax payment. Those people who decided to spread the cost of tying into the sewage over the period of time allotted, will be due to make a payment along with their real estate taxes. This money could be added to the \$550,000.00, already on hand. The Body may want to table or defeat the article if they are not comfortable with making a decision at this time. If the CLT question passes, then either further cuts will be made or an override question may be put on the ballot. In which case it may be better come February to have more monies to apply if need be to the operating budget. Sam Poulten felt it would be best to wait. Jeff Brem urged the Body to talk to their constituents about which way the money should be spent. Barry Balan moved to

withdraw the article. He wanted to remind the Body that the Commission wanted the funds used on behalf of the sewer project, either to offset the cost or applied toward the ongoing project. Ann Graham felt that the monies should be voted on tonight and applied to the sewer project. She felt it would be best to apply the money towards the betterment debt as was originally intended. Dennis Ready supported the motion to withdraw. The Moderator asked for a voice vote on the motion to withdraw, motion carried.

UNDER ARTICLE 18 Edward S. Marshall moved that the Town vote to amend the General By-laws as follows:

1. Under Article V Streets and Sidewalks substitute "Director of Public Works" for "Highway Superintendent" in all sections of Article V.
2. Under Article VII Miscellaneous Section 1 Regulations of Dogs Subsection 6 Dog Officer by deleting the first paragraph and substituting the following:

"The Town Manager shall annually appoint a Dog Officer and as many Assistant Dog Officers as he determines necessary to enforce this By-law and, said individual(s) shall enforce this By-law and perform such other duties as the Town Manager may determine. The Town Manager shall determine hours and conditions of work for the Dog Officers. Compensation for persons appointed under this By-law shall be consistent with other By-laws dealing with salaries of appointed officials.

3. Under Article VII Miscellaneous Section 1 Regulations of Dogs Subsection 19 Dog Fund delete "Town Accountant" and substitute "Treasurer-Collector" in all applicable places.
4. Under Article VII Miscellaneous Section 2 Tree Planting delete "Tree Warden" and substitute "Director of Public Works."

Thomas Doyle Chairman of the By-law Committee explained that this article and the next two are the results of by-laws that were mandated to be changed due to the adoption of the Charter. This particular article is a result of going thru the Charter and applying the technical changes required to the present by-laws in order to make them comply with the Charter. The Finance Committee supported the article. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 19 Selectman Bonita Towle moved to waive the reading of the article. Motion carried, unanimously. Thomas Doyle explained that these changes are mandated due to the adoption of the Charter. He would be glad to answer any and all questions at the appropriate sections. The Finance Committee was in favor of the article in general, but moved to amend under number 3. Section 1 Annual Budget Process the word(s) sixty (60) days to be ninety (90) days. He felt that more time was needed by the Finance Committee for review the individual

budgets. The Moderator asked for a voice vote, motion carried, unanimously to amend. Jeffrey Stallard moved to amend by adding number 1. **Section 2.2 Publication**, The warrant articles for any Special Town Meeting shall be made available to the Town Meeting Members not less than 14 days before the Special Town Meeting. The Moderator asked for a voice vote on the motion to amend, motion carried, unanimously. Dennis J. Ready moved to amend number 1. **Section 3 Time of Meetings** by inserting the word "annual" after "the Representative" and before "Town Meetings." He explained that this would further clarify the Charter and present by-law that the April and October meetings held on the dates mentioned in the by-law are both considered Annual Meetings. The Moderator asked for a voice vote, motion carried. Under number 3. **Section 2 Fees—Town Clerk and Treasurer** a discussion took place Robert Joyce requested an explanation on the increases. Town Manager Bernard Lynch explained that would bring the Town up to the same rates that the surrounding cities and towns are currently charging for their services. A majority of the rates haven't been raised in ten years. He estimated that it would bring in an additional \$7,000.00 in revenues. Robert Joyce moved to delete the column marked "effective 12/1/90" in its entirety. He felt that this should have been a separate article. The Charter doesn't require these changes. Only those before and after this section within the article are mandated. The Finance Committee was not in favor of the motion to delete. Frances McDougall spoke in favor of the motion. She felt that it wasn't that much of an increase, and people should pay the fee when requiring certain services. David McLachlan felt that these are reasonable fees, and urged for the motion to be defeated. The Moderator asked for a voice vote, motion defeated. Jeffrey Stallard moved to amend number 3. **Section 1 Annual Budget Process**. After hearing the proposed amendment, Town Counsel James Harrington ruled it out of order, because it does not comply with the Charter. The Moderator asked for a voice vote on the entire article as amended, motion carried. The article reads as follows:

1. Under Article II Town Meeting delete sections 1-6 inclusive in their entirety and substitute the following:

SECTION 1 ANNUAL ELECTION—The Annual Election shall be on the first Tuesday of April.

SECTION 2 WARRANT ARTICLES—

- 2.1 **SUBMISSION DEADLINE**—All warrant articles shall be in the hands of the Board of Selectmen no later than 1) the first (1st) Monday in January for the Town Meeting to be held in April, and b) the first (1st) Monday in August for the Town Meeting to be held in October. The Board of Selectmen may waive this requirement if deemed in the best interest of the Town or as required by statute.
- 2.2 **PUBLICATIONS**—The warrant article shall be included in the Finance Committee report which shall be made available to Town Meeting Members and the public not less than two (2)

weeks before either Town Meeting. The warrant articles for any Special Town Meeting shall be made available to the town meeting members not less than fourteen (14) days before the special town meeting.

SECTION 3 TIME OF MEETINGS—The Representative Annual Town Meetings shall be held on the last Monday in April and on the third (3rd) Monday October in each year. The April Town Meeting is expected to be primarily concerned with the determination of matters involving the expenditure and commitment of Town funds, including but not limited to the adoption of an annual operating budget for all Town agencies.

The Board of Selectmen may, in any manner provided under the laws of the Commonwealth of the Charter, for the purpose of acting upon the legislative business of the Town in an orderly and expeditious manner, call the Representative Town Meeting into session at other times by the issuance of warrants therefore.

ARTICLE 4 PROCEDURES—

- 4.1 **ORDER OF PRECEDENCE OF MOTIONS**—At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

ORDER OF PRECEDENCE OF MOTIONS

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a Certain Time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the Table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit or Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

*Note: the privileged motions marked by an asterik may interrupt the speaker.

The above table of motions in order of their precedence shall be printed on the inside of the front cover of the Finance Committee report for each of the annual Town Meetings.

The following listing of common motions, classified according to their objectives, shall be printed on the inside of the back cover of the Finance Committee report for the annual Town Meetings.

COMMON MOTIONS CLASSIFIED ACCORDING TO THEIR OBJECTIVES

To Modify or Amend	(a) Amend
	(b) Commit or Refer
To Defer Action	(a) Postpone to a certain time
	(b) Lay on the Table
	(c) Commit or Refer
To Suppress or Limit Debate	(a) Previous Question (to close debate now) ($\frac{2}{3}$ vote)
	(b) Limit Debate ($\frac{2}{3}$ vote)
To Suppress the Question	(a) Previous Question ($\frac{2}{3}$ vote) and Reject Question
	(b) Lay on the table
To Consider a Question a Second Time	(a) Take from the Table
	(b) Reconsider

4.2 RECONSIDERATION—A motion at any adjourned Town Meeting for reconsideration or rescinding of any action taken at a previous session of the adjourned Town Meeting shall not be entertained or allowed by the Town Moderator.

4.3 AMENDMENTS—Any article appearing in the warrant and considered at any Town Meeting may be amended and any portion thereof may be deleted or added to by a vote of the Town Meeting Members provided, however, that in said notice the words "or act in relation thereto" or "do anything pertaining thereto" or words of similar import appears at the end of said article.

An amended amendment cannot be amended and no motion or proposition of a subject different from that under consideration shall be entertained under color of an amendment.

4.4 AMENDMENT OF BY-LAWS—Town By-Laws may be amended or rescinded by a majority vote of those present and voting at any Town Meeting provided that the proposed action was published in the warrant of that Town Meeting and further, provided that any such amendment is in compliance with the Charter.

4.5 REPORTS—When the report of a committee is placed in the hands of the Town Moderator, it shall be deemed to be received a vote to accept the report shall discharge the committee unless the report is one of progress and not final; in which case the committee continues to serve unless the Town Meeting Members vote to discharge same.

All reports, resolutions, motions or amendments submitted to the Town Meeting for consideration involving the expenditure of money shall be presented in writing to the Town Moderator.

4.6 APPROPRIATIONS—No money shall be transferred at a Special Town Meeting except by a majority vote of those present and voting.

All motions on articles involving bond or note issues shall require a two-thirds ($\frac{2}{3}$'s) vote of those present and voting.

4.7 APPROPRIATIONS AT SPECIAL TOWN MEETINGS—No money shall be appropriated at a Special Town Meeting except by a two-thirds ($\frac{2}{3}$'s) vote of the voters present and voting.

4.8 ATTORNEYS SPEAKING—Any person who is employed as an attorney by another interested in

any matter under discussion at a Town Meeting shall disclose the fact of his employment before speaking thereof.

- 4.9 TOWN COUNSEL—The Board of Selectmen shall assure that the guidance of the Town Counsel be available both to the Town Moderator and to the body at all Town Meetings whenever practical.

2. Under Article III Town Officers delete Sections 1-8 inclusive in their entirety and substitute the following:

SECTION 1 FINANCE COMMITTEE—The Town Moderator shall appoint a Finance Committee which shall be composed of seven (7) members; each of whom shall serve for a term of not more than three (3) years from the date of appointment.

SECTION 2 PERSONNEL BOARD—There shall be a Personnel Board consisting of five (5) members, four (4) of whom shall be known as public members, and shall be appointed by the Town Manager. In the beginning, two (2) of these shall be appointed for a term of one (1) year and two (2) shall be appointed for a term of two (2) years. Thereafter, each public member shall be appointed for a term of two (2) years. Each term shall expire at the end of the appropriate fiscal year.

The fifth (5th) member, to be known as the personnel member, shall be elected by Town employees who are subject to the personnel system and whose name appears on the Town payroll list for the Wednesday prior to the election or who otherwise is identified as an eligible voter. Each voter must be eighteen (18) years of age or over on the day of the election. The term of office shall be for two (2) years and shall expire on July 1 of each odd numbered year. The election of the personnel member shall be secret and shall be supervised by a board of three (3) election officers appointed by the Town Manager. The election shall be held in June to be effective in July. Special elections shall be held to fill the unexpired term of the personnel member who resigned before the term has expired. All elections shall be held between the hours of 10 a.m. and 3 p.m. on a weekday selected by the above mentioned board of three (3) election officers. Each permanent full time employee or part-time regular employee with a work schedule over twenty (20) or more hours per week will be granted one (1) vote. All other eligible voters will be granted one half ($\frac{1}{2}$) vote each.

At the first meeting of each fiscal year at which all Personnel Board Members are present, a chairman of the Personnel Board shall be elected by a majority vote.

All members of the Personnel Board shall be registered voters of the Town of Chelmsford.

No public member of the Personnel Board shall be an employee of the Town nor hold office whether appointed or elected. The personnel member of the Personnel Board shall not be an elected official or appointed department

head but may otherwise be an employee who is subject to this By-Law.

Members of the Personnel Board shall serve without compensation.

The Personnel Board shall meet regularly as necessary to consider such business as may be presented by Town officials, Town employees, or others.

At any meeting of the Personnel Board, action by a majority of those Board members shall be binding upon the Personnel Board. At least three (3) members of the Board shall be present in order to constitute a legal meeting.

SECTION 3 TOWN TREASURER-COLLECTOR—The Collector of Taxes shall be the Town Collector. The Town Collector, within the time limits prescribed by law for the collection of accounts due the Town, shall collect all accounts due the Town, except those set forth in Section 38A of Chapter 41 of the Massachusetts General Laws, as amended. The said Town Collector may settle and adjust any such accounts upon such terms as he thinks for the best interests of the Town, or he may cause legal proceedings to be commenced in his name as Town Collector for the collection of any such accounts and may employ counsel for that purpose. The costs of said legal proceedings, including counsel fees, shall be charged to and paid by the Treasurer from the Collector's expense account. All bills for accounts due the Town shall state that all checks, drafts or money orders shall be made payable to or to the order of the Town of Chelmsford.

SECTION 4 CONTRACTS BY TOWN OFFICERS—No officer or board of the Town shall make any contract on behalf of the Town in which such officer or any member of such board is directly or indirectly financially interested, except by competitive contracts.

SECTION 5 AGENTS FOR SUITS—The Board of Selectmen are authorized to act as agents of the Town in any suit or suits which may arise with authority to settle and adjust claims or demands for or against the Town; and to employ counsel whenever in their judgment it is necessary.

SECTION 6 REVOCATION OF APPOINTMENT—Whenever an appointment to an uncompensated Town office is revoked, the appointing authority shall cause a written notice of that action, along with a statement of the specific reason or reasons therefor, to be sent within forty-eight (48) hours by registered mail to the affected individual at his last known address.

This requirement shall apply to revocation only, and not to a decision against reappointment at the expiration of a fixed term.

3. Under Article IV Financial Regulations delete Sections 1-4 inclusive in their entirety and substitute the following:

SECTION 1 ANNUAL BUDGET PROCESS—The Town Manager shall submit to the Finance Committee a proposed budget and capital improvement program for the ensuing fiscal year with an accompanying budget message and supporting documents as set forth in Section 6-2 of the Chelmsford Home Rule Charter at least ninety (90) days prior to the spring session of the annual Town Meeting.

SECTION 2 FEES—TOWN CLERK AND TREASURER—All fees received by the Town Clerk and Town Treasurer by virtue of their office shall be paid into the Town Treasury.

	Prior to 12/1/90	Effective 12/1/90
(1) For filing and indexing assignment for the benefit of creditors	\$10.00	\$10.00
(2) For entering amendment of a record of the birth of an illegitimate child subsequently legitimized	\$5.00	\$10.00
(3) For correcting errors in a record of birth	\$5.00	\$10.00
(4) For furnishing certificate of a birth	\$3.00	\$5.00
(5) For furnishing an abstract copy of a record of birth	\$2.00	\$3.00
(6) For entering delayed record of birth	\$5.00	\$10.00
(7) For filing certificate of a person conducting business under any title other than his real name	\$10.00	\$20.00
(8) For filing by a person conducting business under any title other than his real name, or statement of change of his residence, or of his discontinuance, retirement or withdrawal from or a change of location of such business	\$5.00	\$10.00
(9) For furnishing certified copy of certificate of person conducting business under any title than his real name or a statment by such person of his discontinuance, retirement or withdrawal from such business	\$3.00	\$5.00
(10) For recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry in the Commonwealth	\$10.00	\$20.00
(11) For correcting errors in a record of death	\$5.00	\$10.00
(12) For furnishing a certificate of death	\$3.00	\$5.00
(13) For furnishing an abstract copy of a record of death	\$2.00	\$3.00
(14) For entering notice of intention of marriage and issuing certificates thereof	\$10.00	\$20.0
(15) For entering certificate or marriage filed by persons married out of the Commonwealth	\$3.00	\$5.00
(16) For issuing certificate of marriage	\$3.00	\$5.00

(17) For furnishing an abstract copy of record of marriage	\$2.00	\$3.00
(18) For correction errors in record of marriage	\$5.00	\$10.00
(19) For recording power of attorney	\$5.00	\$10.00
(20) For recording certificate of registration granted to a person to engage in the practice of optometry, or issuing a certified copy thereof	\$10.00	\$20.00
(21) For recording the name of the owner of a certificate of registration as a physician or osteopath in the Commonwealth	\$10.00	\$20.00
(22) For recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof and increase in the number of wires and cable or attachments under the provisions of Sec. 22 of Chap. 166	\$25.00	\$40.00
Additional fee for each street or way included in such order	\$5.00	\$10.00
(23) For examining records or papers relating to birth, marriage or deaths upon the application of any person, the actual expense thereof, but not less than \$5.00	Actual Expense	
(24) For copying any manuscript or record pertaining to a birth, marriage or death	\$3.00	\$5.00 per page
(25) For receiving and filing of a complete inventory of all items to be included in a "closing out sale," etc.		
First page	\$2.00	\$10.00
Each additional page	\$2.00	\$2.00
(26) For filing a copy of written instrument or declaration of trust by the trustees of an association or trust, or any amendment thereof as provided by Sec. 2, Chap. 182	\$10.00	\$20.00
(27) For recording deed of lot or plot in a public burial place or cemetery	\$5.00	\$10.00
(28) Recording of any other document		
First page	\$5.00	\$10.00
Each additional page	\$2.00	\$2.00
(29) For license, registrations, or certificates of the Fire Department issued pursuant to Gen. Law. Chap. 148 Sec. 13		
(a) Each new license application, etc.	\$50.00	\$50.00
(b) Each renewal application, etc.	\$25.00	\$25.00

SECTION 3 COLLECTIVE BARGAINING ITEMS — Any budget item presented at any annual or special Town Meeting for salaries or the payment of any benefit or expense that is the subject of collective bargaining shall accurately reflect the most recently negotiated or agreed payment and shall not be inflated to reflect anticipated negotiated contractual amounts.

SECTION 4 CAPITAL PLANNING COMMITTEE — A committee to be known as the Capital Planning Committee shall be established and shall be composed of the following members: The Town Accountant (non-voting member), the Town Treasurer, one (1) member designated by the School Committee, one (1) member designated by the Finance Committee, one (1) member designated by the Board of Library Trustees, and two (2) citizens of the Town of Chelmsford to be appointed by the Board of Selectmen who are neither a municipal employee of the Town or an elected or appointed Town official except that they may be Town Meeting Members. The committee shall study proposed capital outlays having a useful life of at least one (1) year or the acquisition of land. The committee shall promulgate rules and regulations, make such investigations and hold public hearings as it deems appropriate.

Sam Poulten questioned what would the impact be if the CLT vote passes. Town Counsel, James Harrington, explained that a Special Town Meeting would have to be called and further action would be taken. The Moderator announced that absentee ballots are now available at the Town Clerk's Office for the November 6th election. Seeing that there was no further business at hand he declared the meeting adjourned. The Meeting adjourned at 10:35 p.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

TOWN WARRANT FOR STATE ELECTION NOVEMBER 6, 1990 COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

To the Constable of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in Election to vote at:

- Precinct 1. Town Offices Gymnasium, 50 Billerica Road
- Precinct 2. Harrington School Gymnasium, 120 Richardson Road
- Precinct 3. Harrington School Gymnasium, 120 Richardson Road
- Precinct 4. Westlands School Cafeteria, 170 Dalton Road
- Precinct 5. Byam School Cafetorium, 25 Maple Road
- Precinct 6. Westlands School Cafeteria, 170 Dalton Road
- Precinct 7. McCarthy Middle School, Small Gymnasium, 250 North Road
- Precinct 8. McCarthy Middle School, Small Gymnasium, 250 North Road
- Precinct 9. Town Offices Gymnasium, 50 Billerica Road

On Tuesday the sixth day of November, 1990, from 7:00 a.m. to 8:00 p.m. for the following purposes:

1). To cast their votes in the State Election for the candidates of political parties for the following offices:

U.S. SENATOR	FOR THE COMMONWEALTH
GOVERNOR	FOR THE COMMONWEALTH
LT. GOVERNOR	FOR THE COMMONWEALTH
ATTORNEY GENERAL	FOR THE COMMONWEALTH
SECRETARY	FOR THE COMMONWEALTH
TREASURER	FOR THE COMMONWEALTH
AUDITOR	FOR THE COMMONWEALTH
REP. IN CONGRESS	FIFTH CONGRESSIONAL DISTRICT
COUNCILLOR	THIRD COUNCILLOR DISTRICT
SENATOR IN GENERAL COURT	FIFTH MDSX. SENATORIAL DISTRICT
REP. IN GENERAL COURT	SIXTEENTH MDSX. REP. DISTRICT
DISTRICT ATTORNEY	NORTHERN DISTRICT
REGISTER OF PROBATE	MIDDLESEX COUNTY
COUNTY TREASURER	MIDDLESEX COUNTY
COUNTY COMMISSIONER	MIDDLESEX COUNTY

2.) To vote on the following questions:

QUESTION 1

Proposed Amendment to the Constitution

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the House of Representatives and the Senate on December 17, 1987 by a vote of 180 to 6, and on June 11, 1990 by a vote of 186 to 6?

SUMMARY

The proposed constitutional amendment would repeal the constitutional provision that state census be taken and used as the basis for determining state representative, senatorial and councillor districts. The proposed constitutional amendment would provide that the federal census shall be the basis for determining such districts.

YES
NO

QUESTION 2

Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or House of Representatives before May 2, 1990?

SUMMARY

The proposed law would place restrictions on the State's use of consultants. It would place various limits on the amount of profit, overhead charges and expenses that the Senate could pay consultants. It would limit the duration of consultant contracts to two years and any extension to one year, and it would limit the degree to which such contracts could be changed to require payments in excess of the original contract. The proposed law would limit to \$100,000 the amount the State could pay on a consultant contract with an individual and would require all other consultant contracts in excess of \$25,000.00 to be sought

through competitive bidding. It would prohibit consultants from supervising State employees, and it would limit the use of consultants as substitutes for State employee positions.

In addition, the proposed law would place limits on that total amount of money State agencies, departments and Authorities could spend on consultants each year. Subsidiary provisions would also establish a method for these entities to gradually come into compliance with the new spending limits and would give authority to the State Secretary of Administration and Finance, on request, to permit some spending in excess of the new limits. The proposed law would also require State agencies, departments and Authorities as well as the Secretary of Administration and Finance to submit yearly reports concerning the State's consultant contracts to certain legislative committees and to the Inspector General.

Finally, the proposed law provides that any of its provisions, if found by a court to be unconstitutional or otherwise unlawful, would be severed from the law and the remaining provisions would continue in effect.

YES
NO

QUESTION 3

Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 2, 1990?

SUMMARY

This proposed law would change the state income tax rate, affect language contained in certain tax provisions, and regulate the setting of fees by state agencies and authorities.

The proposed law would set the state income tax rate on Part B taxable income (in general, earned income) at 4.25% for 1991 and 4.625% for 1992, except for income from unemployment compensation, alimony, Massachusetts bank interest, rental income, pension and annuity income, and IRA/Keough deductions, which would be taxed at 5%.

The proposed law also provides that the fee imposed by any state agency or authority shall be no more than the fee that was in effect on or before June 30, 1988. The state Secretary of Administration would determine the amount to be charged for any service registration, regulation, license, fee, permit or other public function, except for the rates of tuition or fees at state colleges and universities or any fees or charges relative to the administration and operation of the state courts. Any increase or decrease in a fee, or the establishment of any new fee, would require the approval of the Legislature. Any increase in a fee would not apply to persons 65 years of age or older. No state agency or authority could collect any fee which exceeds the administrative costs directly incurred by the state agency or authority to produce and process the application for any license or permit. The Secretary of Administration must report information concerning fees to the Legislature on an annual basis.

The proposed law provides that for tax periods commencing on or after January 1, 1991, language in certain pro-

vision of the Massachusetts general laws relating to taxes shall be the same as it was on August 2, 1989, or the effective date of the proposed law, whichever language yields less tax revenue. The tax provisions affected include sections relating to the surtax on business income, corporate excise taxes, S corporation taxes, taxes on security corporations, taxes on Part A income (in general, unearned income), bank taxes, excise taxes on alcoholic beverages and cigarettes, excise taxes on deeds, estate taxes, payments to the Commonwealth relating to horse and dog racing, payment to the Commonwealth relating to boxing and sparring matches, taxes on utility companies, gasoline taxes, taxes on insurance companies, excise taxes on motor vehicles, taxes on urban redevelopment corporations, sales tax, use tax, room occupancy excise tax, property taxes, and taxes on proceeds from raffles and bazaars.

The proposed law also contains a provision that if any sections of the law are held to be invalid, all other sections of the law are to remain in effect.

YES
NO

QUESTION 4

Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or House of Representatives before May 2, 1990?

SUMMARY

This proposed law would change the state election laws governing the establishment of political parties and the nomination of candidates.

The proposed law would allow voters to register under a political designation other than "independent" and in addition to the two political parties previously recognized by law (Republican or Democrat), if at least fifty voters request to be permitted to do so. It would allow any group to qualify as a political party under Massachusetts law if at least one percent of the total number of registered voters register to vote using that group's political designation, or if at least three percent of the votes cast at the preceding election for any statewide office were cast for a candidate running under that group's political designation.

The proposed law would set the minimum number of signatures needed on independent or minor part nomination papers for state office at one-half of one percent ($\frac{1}{2}\%$) of the entire vote cast in the previous state election for governor (as compared to 2% as of 1989), and would also establish this number of signatures as the upper limit needed for major party candidates. The proposed law would also permit voters to sign the nomination papers of any number of candidates for the same office, would require that all blank forms to be used for nomination papers and initiative and referendum petitions be no more than 8½" by 14" in size, and would allow signatures to be collected on exact copies of these forms.

YES
NO

QUESTION 5**Law Proposed by Initiative Petition**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 2, 1990?

SUMMARY

This proposed law would regulate the distribution to cities and towns of the Local Aid Fund, which consists of at least 40% of the revenue generated by the state income, sales and corporate taxes, as well as the balance of the State Lottery Fund.

Subject to appropriation by the Legislature, the State Treasurer would distribute the Local Aid Fund to cities and towns on a quarterly basis, and each city or town would receive at least the same amount of local aid it received in the previous fiscal year unless the total Local Aid Fund decreases. In fiscal year 1992, if there has been any increase over the fiscal year 1989 fund, half of the increase would be distributed in accordance with the distribution formula used for fiscal year 1989, and half would be distributed to each city and town in proportion to its population.

In each year after 1992, if the fund increase, the excess would be distributed through a formula devised by the state Secretary of Administration and Finance, with the advice and consent of the Local Government Advisory Committee. If the fund decreases after 1992, each town or city will have the amount it receives decreased by the same percentage.

This proposed law also requires that the Treasurer publish an annual report about the Local Aid Fund, that the state Auditor publish an annual audit of the Account, and that the Secretary of Administration and Finance issue to each city and town an estimate of funds it will receive from the Local Aid Fund.

Each city or town would be allowed to bring a lawsuit to force distribution of the account, and would be entitled to a late payment fee if distribution is not timely.

YES
NO

QUESTION 6**THIS QUESTION IS NOT BINDING**

Shall radio and television broadcast outlets be required to give free and equal time to all certified candidates for public office in the Commonwealth?

YES
NO

QUESTION 7**Middlesex County Land Transfers**

Shall Middlesex County elect to transfer to the Commonwealth all right, title and interest held by said County in:

- A. The Superior Court House building and land in Lowell, Massachusetts
- B. The Superior Court House building and land in Cambridge, Massachusetts

C. The Probate Court/Registry of Deed building and land in Cambridge, Massachusetts occupied by the judicial branch and owned by the county?

YES
NO

Hereof fail not and make return of the warrant with your doings thereon at the time and place of said election.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 24th day of October, A.D. 1990.

**BOARD OF SELECTMEN
OF TOWN OF CHELMSFORD**

Bonita A. Towle, Chairman
Dennis J. Ready, Vice Chairman
Henrick R. Johnson, Jr., Clerk
Bradford O. Emerson
Roger A. Blomgren

TOWN OF CHELMSFORD—STATE ELECTION—NOVEMBER 6, 1990

OFFICES & CANDIDATES

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Totals	%
SENATOR IN CONGRESS											
Blanks	44	55	52	63	43	67	53	38	40	455	2.9%
John F. Kerry	831	895	786	765	853	810	900	815	793	7,448	46.9%
Jim Rappaport	778	898	813	795	1,027	888	971	801	920	7,891	49.7%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	4	1	1	5	2	1	1	1	2	18	0.1%
Misc*	7	9	5	6	5	7	7	5	10	61	0.4%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

GOVERNOR & LT GOVERNOR

Blanks	26	24	21	32	28	23	29	21	26	230	1.4%
Silber & Clapprood	668	725	669	689	670	720	703	678	680	6,202	39.1%
Weld & Cellucci	919	1,075	926	874	1,162	984	1,157	916	999	9,012	56.8%
Umina & DeBerry	48	30	36	34	64	41	32	40	51	376	2.4%
Dorothy Stevens, W/In	0	0	1	0	0	0	0	1	0	2	0.0%
Write-In	2	3	3	3	1	0	9	1	6	28	0.2%
Misc*	1	1	1	2	5	5	2	3	3	23	0.1%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

ATTORNEY GENERAL

Blanks	70	76	70	75	58	78	78	40	66	611	3.8%
L. Scott Harshbarger	949	1,023	947	959	1,051	1,015	1,039	944	949	8,876	55.9%
William C. Sawyer	643	753	638	599	815	676	808	675	745	6,352	40.0%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	0	0	0	1	6	1	2	1	0	11	0.1%
Misc*	2	6	2	0	0	3	5	0	5	23	0.1%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

SECRETARY OF STATE

Blanks	113	156	98	116	132	126	145	114	119	1,119	7.0%
Michael J. Connolly	550	600	543	610	583	589	554	541	537	5,107	32.2%
Paul McCarthy	749	838	794	698	905	823	955	758	837	7,357	46.3%
Barbara F. Ahern	248	260	222	208	307	233	277	246	265	2,266	14.3%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	1	1	0	2	1	1	0	1	0	7	0.0%
Misc*	3	3	0	0	2	1	1	0	7	17	0.1%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

TREASURER

Blanks	70	84	79	71	85	82	97	75	74	717	4.5%
William Francis Galvin	453	535	431	473	470	434	418	471	467	4,152	26.2%
Joseph D. Malone	1,038	1,138	1,044	1,004	1,251	1,163	1,296	1,019	1,130	10,083	63.5%
C. David Nash	98	99	102	85	123	93	120	93	91	904	5.7%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	3	0	1	1	1	1	1	0	0	8	0.1%
Misc*	2	2	0	0	0	0	0	2	3	9	0.1%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

AUDITOR

Blanks	133	170	134	131	148	143	168	130	147	1,304	8.2%
A. Joseph DeNucci	660	749	675	709	731	716	734	668	645	6,287	39.6%
Douglas J. Murray	712	787	710	661	879	793	864	707	809	6,922	43.6%
Steven K. Sherman	152	147	137	131	169	119	163	152	160	1,330	8.4%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	0	0	0	1	0	1	0	0	1	3	0.0%
Misc*	7	5	1	1	3	1	3	3	3	27	0.2%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Totals	%
REP. IN CONGRESS											
Blanks	53	71	55	58	54	55	70	46	64	526	3.3%
Chester G. Atkins	772	805	760	722	850	801	863	762	768	7,103	44.7%
John F. MacGovern	835	976	841	852	1,023	912	993	848	929	8,209	51.7%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	0	0	0	1	0	2	1	0	0	4	0.0%
Misc*	4	6	1	1	3	3	5	4	4	31	0.2%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
COUNCILLOR											
Blanks	162	190	163	138	183	174	221	152	163	1,546	9.7%
Robert B. Kennedy	650	761	602	745	668	664	663	662	603	6,018	37.9%
Thomas F. Healy	849	903	890	750	1,071	930	1,044	843	995	8,275	52.1%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	0	0	1	1	0	2	0	1	0	5	0.0%
Misc*	3	4	1	0	8	3	4	2	4	29	0.2%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
SENATOR IN GENERAL CT											
Blanks	111	161	117	114	117	124	146	120	119	1,129	7.1%
Lucile "Gile" P. Hicks	1,027	1,086	1,073	954	1,261	1,137	1,265	976	1,168	9,947	62.7%
Bryan P. McCarthy	520	605	464	563	549	510	509	561	471	4,752	29.9%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	0	3	0	1	0	1	3	0	0	8	0.1%
Misc*	6	3	3	2	3	1	9	3	7	37	0.2%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
REP. IN GENERAL COURT											
Blanks	308	338	253	287	327	290	326	292	289	2,710	17.1%
Carol C. Cleven	1,316	1,486	1,368	1,320	1,572	1,448	1,573	1,336	1,440	12,859	81.0%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	7	5	10	7	6	6	12	5	10	68	0.4%
Misc*	33	29	26	20	25	29	21	27	26	236	1.5%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
DISTRICT ATTORNEY											
Blanks	616	662	621	536	772	688	825	662	712	6,094	38.4%
Thomas F. Reilly	1,008	1,142	985	1,065	1,103	1,050	1,058	970	997	9,378	59.1%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	8	2	13	12	5	8	3	1	2	54	0.3%
Misc*	32	52	38	21	50	27	46	27	54	347	2.2%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
REGISTER OF PROBATE											
Blanks	238	315	260	216	308	264	334	259	268	2,462	15.5%
Donna M. Lambert	825	922	859	789	991	916	1,027	816	919	8,064	50.8%
Thomas J. Larkin	593	613	533	628	623	584	560	578	574	5,286	33.3%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	1	1	1	1	0	2	1	0	0	7	0.0%
Misc*	7	7	4	0	8	7	10	7	4	54	0.3%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
COUNTY TREASURER											
Blanks	263	344	296	252	326	298	382	277	301	2,739	17.3%
James E. Fahey, Jr.	550	603	501	597	584	560	530	533	510	4,968	31.3%
Walter Fish	837	897	853	781	1,009	910	1,012	843	945	8,087	50.9%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	0	0	0	1	0	1	0	0	1	3	0.0%
Misc*	14	14	7	3	11	4	8	7	8	76	0.5%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Totals	%
COUNTY COMMISSIONER											
Blanks	668	729	693	601	815	753	913	715	757	6,644	41.9%
Francis X. Flaherty	948	1,067	918	1,003	1,056	981	969	915	951	8,808	55.5%
	0	0	0	0	0	0	0	0	0	0	0.0%
Write-In	0	4	10	13	7	10	5	4	3	56	0.4%
Misc*	48	58	36	17	52	29	45	26	54	365	2.3%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
QUESTION 1											
Blanks	75	87	37	103	66	88	57	61	59	633	4.0%
Yes	1,324	1,477	1,404	1,267	1,586	1,449	1,626	1,361	1,476	12,970	81.7%
No	265	294	216	264	278	236	249	238	230	2,270	14.3%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
QUESTION 2											
Blanks	52	50	28	66	48	57	44	33	33	411	2.6%
Yes	843	935	806	813	983	887	929	840	967	8,003	50.4%
No	769	873	823	755	899	829	959	787	765	7,459	47.0%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
QUESTION 3											
Blanks	29	29	16	39	26	24	19	14	12	208	1.3%
Yes	726	884	714	746	921	799	886	775	850	7,301	46.0%
No	909	945	927	849	983	950	1,027	871	903	8,364	52.7%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
QUESTION 4											
Blanks	89	113	63	116	87	107	85	82	88	830	5.2%
Yes	896	970	849	853	1,060	911	1,031	895	1,011	8,476	53.4%
No	679	775	745	665	783	755	816	683	666	6,567	41.4%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
QUESTION 5											
Blanks	99	120	80	112	100	116	96	83	81	887	5.6%
Yes	1,044	1,161	1,033	1,038	1,224	1,161	1,259	1,049	1,128	10,097	63.6%
No	521	577	544	484	606	496	577	528	556	4,889	30.8%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
QUESTION 6											
Blanks	89	141	74	117	95	121	107	96	98	938	5.9%
Yes	872	919	860	806	969	874	955	850	937	8,042	50.7%
No	703	798	723	711	866	778	870	714	730	6,893	43.4%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	
QUESTION 7											
Blanks	257	368	250	268	338	308	355	259	297	2,700	17.0%
Yes	728	711	758	706	824	798	830	691	719	6,765	42.6%
No	679	779	649	660	768	667	747	710	749	6,408	40.4%
TOTAL	1,664	1,858	1,657	1,634	1,930	1,773	1,932	1,660	1,765	15,873	

SPECIAL TOWN MEETING December 3, 1990

The Special Town Meeting was called to order at 7:40 p.m. at the McCarthy Middle School Auditorium by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 125 Representative Town Meeting Members present.

The Moderator pointed out the fire exits located within the hall. He went over the Town Meeting procedures.

Selectman Bonita Towle moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Towle then moved that the reading of the entire warrant be waived. Cheryl Warshafsky asked for clarification on the purpose of the meeting. Town Manager Bernard Lynch explained that it was called in order to act upon the rent control article appearing under article one. He further explained that the body had to ratify the action taken at the October 1st and 15th meeting, which appears under article 3. According to Bond Counsel, the warrant must be posted 14 days prior to the date of the fall meeting, as required by State statute. The Town's by-law and Charter allowed for two annual meetings to be held in one year. One in the spring and the second in the fall, which would require only posting 7 days prior to the meeting. A discussion took place. Cheryl Warshafsky asked if each article would be brought back for a vote. Town Counsel, James Harrington, explained that only one vote is required to ratify the action which took place on all the articles. No article will be voted on individually. Sam Poulten questioned the warrant, he felt that the Town Meeting Representatives should have enough notice for any opportunity to submit articles for any Special Town Meeting Warrant. The Moderator proceeded with the meeting. He asked for the vote on the waiving of the reading of the entire warrant. It was so voted, unanimously.

The Moderator made a few announcements. He requested a moment of silence in respect for James McKeown, a former member of the Sewer Commission, who passed away on November 29th. He mentioned that tonight would be Finance Committee member, Bill Logan's last meeting, and thanked Mr. Logan for all his work. He then announced that Edward Marshall and Ann Graham were appointed to the Finance Committee and welcomed them. The Town Meeting members acknowledged the Finance Committee's news with a round of applause.

UNDER ARTICLE 1 Susan Gates, Chairman of the Rent Control Board, moved that the Town vote to amend Article XII Mobile Home Park Rent Control By-law of the General By-laws by adding the following paragraph to Section 6 as follows:

- 5.) The Board shall have the power to approve any lease entered into by the Owner of any Mobile Home Park and tenants of the Park provided said lease is approved by the Owner and a majority of the tenants in the Park and the Board finds that said Owner and tenants have been represented by

counsel in the lease negotiations, or said lease is approved by the Superior Court of the Commonwealth of Massachusetts.

Susan Gates explained that this was a housekeeping measure. The Board is allowed to amend their own by-laws when they want to. In order to avoid any conflict the Board is requesting that the Town's by-laws be amended in order to say the same thing. The Finance Committee and the Board of Selectmen were in favor of the article. Wayne Richardson, President of the Citizens for Action Chelmsford Mobile Home Park, spoke on behalf of the members of his organization. He thanked the different Boards and offices, that have helped him over the last nine years. He explained that the majority of the tenants who belong to this organization approve of the lease being offered by the owner. It will be a thirty year lease, beginning January 1, 1991 and binds the present owner and any subsequent owner of the park and any present or future tenants. This lease will be approved by the Superior Court of Massachusetts. He asked for the support of the article. Linda Allen who is a homeowner in the park, said she was against the article. David McLachlan asked her to explain why she was against the article. She felt that a lease with present owner won't work. The rents will be increased and that the Rent Control Board won't have any say. Susan Gates explained that this is not an approval of the lease, it only gives the Rent Control Board the power to approve leases. This particular lease which has been negotiated will not necessarily be approved by the board, it only gives the board the power and mechanism to approve it. A discussion took place. James Harrington, Town Counsel, explained that there has been an ongoing litigation between the tenants, homeowners and the mobile park owners over the closing of the park. The owners want to close the park, the Attorney General's Office brought action against the owners. The action has been before the courts for a number of years. The Town was a party to the action, however, it was successful by motion of being released from the lawsuit, so the Town is no longer a party to the lawsuit. He explained that all the other parties involved have reached an agreement that the rent control board accept the lease. The lease will then be submitted to the Superior Court in the form of an agreement for judgment. The Judge will either approve it or disapprove it. The Town Counsel says he recommends to the Town Body and the Rent Control Board that the Town is not responsible for the rates set by private parties, being the tenants and the park owners. If all those parties agreed by due process to resolve their differences then the town shouldn't stand in the way. John Emerson moved the question. The moderator attempted a voice vote which failed. The following tellers came forward and a hand count was taken. Helen Manahan, Jean Horgan, Michael McCall and Dorothy Frawley. The result was: Yes 106, No 4, 2/3's is 73, the motion carried to stop debate. The Moderator asked for a voice vote on the article. Motion carried.

UNDER ARTICLE 2 Selectman Bonita Towle moved that the Town vote to amend Article VI Section 21 Unregistered Motor Vehicle By-Law of the General By-Law by deleting paragraph one and inserting in its place the following:

- 1.) Except as may be provided herein, not more than one unregistered motor vehicle shall be placed, stored, or kept on property except property used for business or industrial purposes. No unregistered motor vehicle shall be stored, placed or kept on a "paper street" or private way. All privately owned unregistered motor vehicles shall be stored, placed and kept on private property.

Town Manager Bernard Lynch explained that this article was submitted as per request of the Police Department, who worked with Town Counsel on the wording. The zoning by-law permits no more than two (2) unregistered motor vehicles or trailers stored on any property. This would allow one (1) car to be stored and require a permit at no charge, from the Board of Selectmen for the second car. The Finance Committee did not have any recommendation. William Spence spoke against the article. Due to the current economical status of a lot of the residents in this town at this time, cars may be taken off the road because of the high cost of insurance, etc. He agreed that the resident who has more than two cars stored on the property does abuse the law, but why should the resident who may do this as a temporary measure be penalized? He feels that this is not a necessary article at this time. James Sousa spoke about the article. He wanted to have the law not apply to any vehicles out of public view. If the vehicles are kept in a garage or behind a stockade fence then a permit shouldn't be required. He moved to amend the article by adding to the end "The provisions of this paragraph shall not apply to any motor vehicles stored out of public view." He explained the purpose of his motion. Selectman Henrick Johnson explained that he was in favor of the article because there could be a lot of cars stored or abandoned on property and he felt that there should be some prevention control. Ronald Wetmore questioned who would be responsible, the property owner or the owner of the motor vehicle? James Harrington explained that the owner of the property is responsible, but in the case of landlord and owner of a motor vehicle then both parties would be fined. Ronald Wetmore felt that this was wrong. It shouldn't be the landlord's responsibility. A discussion took place. The Moderator asked for a voice vote on the motion to amend. Motion defeated. The Moderator asked for a voice vote on the article, which left the chair in doubt, he asked for a show hands, motion carried.

UNDER ARTICLE 3 Selectman Bonita Towle moved that the Town vote to approve and confirm the actions taken at the October 1, 1990 and October 15, 1990 sessions of the Fall 1990 Annual Town Meeting, the record of which is available for inspection at the office of the Town Clerk.

Town Manager, Bernard Lynch, explained that due to a technical disagreement between the Town Counsel and Bond Counsel regarding the posting requirements of the October 1st warrant, Bond Counsel feels that all the action that took place at those two meetings must be ratified. The Finance Committee supported the article. Grace Dunn spoke against the article. She questioned the \$200,000.00 transfer of insurance money, which was used to fund article 2. She felt it was surplus money from the employees' health insurance trust fund that was used, and wanted to know why the employees' health insurance pre-

miums increased if there was a surplus. She felt the money shouldn't be used to fund anything else but the insurance premiums. Bernard Lynch explained that because of two deficits in FY 1987, and 1988 the funds were raised, that's why there was an excess, not a surplus. This is money recouped prior to the fiscal year deficits. Samuel Poulten questioned the wording of the warrant article vs. the motion. He felt that individual article discussion should be allowed, not just discussion on the one way or the other vote needed to ratify action of the two meetings. He wanted to discuss the issue of the laying off of three policemen. Rose Sergi spoke against the layoffs and other issues. She spoke about areas where money could be saved in order to reinstate the policemen, and avoid layoffs. Bernard Lynch, Town Manager explained that there was no funding available. He said that after reviewing the budget with the Police Chief and taking the steps necessary in order to try and not reduce the police force, it became unavoidable and the layoffs must be done. A lengthy discussion took place. Roland Linstad explained the Police Union's request for an additional \$75,000.00 when they appeared before the Board of Selectmen, asked that the ratification not be passed. More discussion took place. David McLachlan asked what was the particular article that the Bond Counsel would not approve. James Doukszewicz, Treasurer and Financial Director said it was article four. He explained that due to a difference in opinion with the posting requirements, Bond Counsel would not approve the action taken under this article. David McLachlan urged the Town Meeting Body to approve that article. Cheryl Boss asked if the Town Meeting Representatives could specify where money can be spent within a budget, or if all they can only do is to approve the amounts. Town Counsel James Harrington explained that all the representatives do is vote on the amounts given. They cannot control where or how the money will be spent, that decision is the Town Manager's. Richard DeFreitas spoke against not being able to discuss or vote on the ratification of each article from the previous meeting. More discussion took place, Samuel Poulten moved to add \$75,000.00 to the Public Safety (Police). And to ratify the vote taken on Capital Outlay or Improvement. The Town Counsel ruled the motion out of order. He said that this action could not take place. The Town Meeting body could only vote on ratifying the entire action as a whole of the previous meeting. The Moderator concurred with Town Counsel's decision. Samuel Poulten wanted to go on record as challenging the ruling. The question was raised on, if there was any money available for funding the positions. Dwight Haywood of the Finance Committee, said that the Sinking Fund had \$17,000.00 available. James Doukszewicz said that there was only the availability of the sewer betterment money of \$500,000.00. Bernard Lynch felt that the money should be kept aside for either the anticipated shortfall of \$1.4 million or the expansion of the sewer project. Liz Marshall spoke on being in favor of the article and moved the question. The Moderator ruled the discussion is to continue because of his practice of not allowing statements and moving the question within the same speech. The discussion continued. Ronald Gamache wanted to table the article and the town meeting in order to allow further opinion from the Attorney General's Office regarding this ratification procedure. He moved to adjourn the meeting until Monday, January 7, 1991, at 7:30 p.m., at the McCarthy Middle School. A

discussion took place. Ronald Gamache withdrew his motion to adjourn to a time certain. He then moved to adjourn the meeting. The Moderator explained the options of the motion. The Moderator asked for a voice vote, which left the chair in doubt. The tellers came forward and a hand count was taken: Yes 73 No 47, motion carried to adjourn.

Samuel Poulten moved to withdraw his request to challenge the ruling of ratification, and wanted to know when the Selectmen were next meeting in order to submit warrant articles. The Board of Selectmen announced that they will be meeting on December 17th, and that they will be

calling for a Special Town Meeting to be held on Monday, January 7th, 1991.

The Moderator announced for the Town Meeting Representatives to meet at this adjournment, within their precincts and choose among themselves one person to represent the precinct on the newly-formed Rules Committee.

The Moderator adjourned the meeting at 10:35 p.m.

Dennis E. McHugh
Moderator

Mary E. St.Hilaire
Town Clerk

TOWN MEETING REPRESENTATIVES

PRECINCT 1

NAME	TERM
William R. Logan	1993
John P. Clancy (replaced H. Manahan 12-20-90)	1993
Helen A. Manahan	1993
Susan G. Koeckhoven	1993
Sandra A. Kilburn	1993
Barry B. Balan	1993
Robert P. Joyce	1993
Philip L. Currier	1992
John G. Coppinger	1992
Marian D. Currier	1992
Robert E. Olson	1992
Carl W. Seidel	1992
Scott J. McCaig	1992
John G. Mamalis (replaced R. McClure 12-20-90)	1991
Richard P. McClure	1991
Charles W. Frye	1991
Martha McClure	1991
William E. Spence	1991
Robert M. Schneider	1991
Jean B. Rook	1991

PRECINCT 2

NAME	TERM
Richard E DeFreitas (resigned 2-6-91 R. Scharn)	
Robert J. Scharn	1993
George L. Merrill	1993
Francis G. Miskell	1993
Harry A. Foster	1993
Susan M. Olsen	1993
Harold I. Matzkin	1993
Bonnie I. Foster	1992
Loretta A. Gelenian	1992
Barry T. Bell	1992
George F. Abley	1992
Kathryn A. Schmitz	1992
David G. Conrad	1992
Jeffrey W. Stallard	1991
Patricia A. Jamros	1991
Karen S. Vandenbulcke	1991
James A. DeProffio (repl. M. Vandenbulcke 12-20-90)	
Marc A. Vandenbulcke	1991
Mary Jo Welch	1991
Albert Leman	1991

PRECINCT 3

NAME	TERM
Carole A. Marcotte	1993
D. Lorraine Lambert	1993
Priscilla A. Rega	1993
Brenda A. McDermott	1993
Kathleen S. Fitzpatrick	1993
Jane S. McKersie	1993
John P. Emerson Jr.	1992
Judith Haas	1992
Stephen A. Gould (resigned 9-15-90 J. Hanlon)	1992
John M. Hanlon	1992
Thomas P. Regan	1992
Michael F. Curran	1992

Christine A. Gleason	1992
Cynthia M. Sullivan	1991
Thomas J. Welch	1991
Robert D. Marazzi	1991
Thomas E. Moran	1991
Pamela S. Amway	1991
Thomas F. Carey Jr.	1991

PRECINCT 4

NAME	TERM
Ruth K. Delaney	1993
John T. Conrad Jr.	1993
Bonita Towle	1993
Gerald W. Pacht	1993
John B. Sousa Jr.	1993
Thomas E. Firth Jr.	1993
Frances T. McDougall	1992
Lynn M. Marcella	1992
Linda J. Allen	1992
Gary R. Wilson (replaced R. Hughes 12-20-90)	
Robert L. Hughes	1992
Jeffrey A. Brem	1992
Martha W. Shelton	1992
Kay E. Roberts	1991
Donald P. Ayer	1991
Beverly A. Koltookian	1991
Daniel J. Sullivan III	1991
Steven B. Hadley	1991
Michael R. Parquette	1991

PRECINCT 5

NAME	TERM
Arnold J. Lovering	1993
Barbara H. Ward	1993
James M. Creegan	1993
Wendy C. Marcks	1993
Kathleen F. Hillman	1993
David P. McLaughlin	1993
Ronald W. Wetmore	1992
J. Ronald Gamache	1992
Evelyn S. Thoren	1992
Dean Carmeris	1992
Glenn R. Thoren	1992
Violet R. Stone	1992
Steven J. Temple	1991
Jonathan A. Stevens	1991
Robert E. Brooks	1991
W. Allen Thomas Jr.	1991
Frederick C. Marcks (Dec. repl. J. Hibbard 12-20-90)	
John R. Hibbard, Jr.	1991
Catherine Brown	1991

PRECINCT 6

NAME	TERM
John W. Carson	1993
Raymond P. McKeon	1993
Margaret A. Johnson	1993
Bradford O. Emerson	1993
Janet G. Dubner	1993
M. Elizabeth Marshall	1993
David J. McLachlan	1992
Aileen R. McCarthy	1992
Roger A. Blomgren	1992

Edward S. Marshall	1992
Martin A. Gruber	1992
Cherul M. Wharshafsky	1992
Mary E. Frantz	1991
Brian J. Stanton	1991
James A. Sousa	1991
Earl C. Burt	1991
Francis X. Roark (replaced H. Hall 12-20-90)	
Howard J. Hall	1991
John Demers	1991

PRECINCT 7

NAME	TERM
Dennis J. Ready	1993
Susan J. Gates	1993
Edward H. Hilliard	1993
Joan M. Gauthier	1993
Bernard A. Ready	1993
Mark W. Gauthier	1993
John F. Geary, Jr.	1992
Andrew V. Silinish	1992
Kathryn Brough	1992
Bruce A. Kunkel	1992
Leonard W. Doolan III	1992
Dwight M. Hayward	1992
Carol A. Stark	1991
Frederick W. Wikander	1991
Nicholas G. Gavriel (replaced T. Mills 12-20-90)	
Thomas E. Mills	1991
Charles A. Cook	1991
Stratos G. Dukakis	1991
Margaret A. Schloeman	1991

PRECINCT 8

NAME	TERM
Walter A. Cleven	1993
Stuart G. Weisfeldt	1993
Doris J. Mahoney	1993
William P. Keohane	1993
William F. Dalton	1993
Richard J. Day	1993
Cynthia A. Walcott	1992
Carrie A. Steiman	1992
Henry E. Sullivan	1992
Richard P. Greska	1992
Daniel W. Burke	1992
Reginald M. Larkin (Dec. repl. S. Norkunas 12-20-90)	
Stanley W. Norkunas	1992
Cheryl Adkins Boss	1991
Bruce J. Harper, Sr.	1991
Alexander W. Gervais	1991
Peter G. Johnson	1991
Samuel Poulten	1991
Evelyn P. Bell	1991

PRECINCT 9

NAME	TERM
Eleanor D. Abbott	1993
Alan R. Pajak	1993
John S. Fudge Jr.	1993
Roland E. Linstad	1993
Elizabeth A. McCarthy	1993
Doris A. Tereshko	1993

Alan L. Moyer	1992
Barbara J. Scavezze	1992
Samuel J. Brink	1992
Donald L. Elias	1992
James P. Good	1992
Donald N. Keirstead (resigned 12-23-90)	
Allan T. Galpin Jr.	1991
Robert M. Sexton Jr.	1991
Cynthia J. Kaplan	1991
Frank R. Peterson	1991
Edward A. Cady	1991
George M. Goguen	1991

**pct. members to fill expires 4/1991 then becomes unexp. 1 yr. term

ELECTED TOWN OFFICIALS**MODERATOR Elected**

3 Yr. Term 1993

Dennis E. McHugh

BOARD OF ASSESSORS

Diane M. Phillips, Chairman Appointed by T.M.
4/11/90

Ruth K. Delaney Term Expires 1992

Richard P. Tevlin Term Expires 1991

CEMETERY COMMISSION

Elected 3 Yr. Term

Charlotte P. DeWolf Term Expires 1993

Gerald L. Hardy Term Expires 1992

Everett V. Olsen, Chairman Term Expires 1991

Cemetery Superintendent: Frank R. Peterson

CONSTABLE

Elected 3 Yr. Term

William E. Spence Term Expires 1992

BOARD OF HEALTH

Elected 3 Yr. Term

Mark W. Gauthier, Clerk Term Expires 1993

Paul J. Canniff, Vice Chairman Term Expires 1992

Paul F. McCarthy, Chairman Term Expires 1991

Appt. Dr. Michael Dean

Director: Richard J. Day

Nurse: Judy Dunigan

HOUSING AUTHORITY

Elected 5 Yr. Term

Ruth K. Delaney, Chairman Term Expires 1995

Robert L. Hughes Term Expires 1993

Lynn M. Marcella Term Expires 1992

William P. Keohane Term Expires 1991

Pamela Turnbull Gov appt 7/93

Lisa Royce, Director

LIBRARY TRUSTEES

Elected 3 Yr. Term

Elizabeth A. McCarthy, Treasurer Term Expires 1993

D. Lorraine Lambert Term Expires 1993

Lynda Reid Warren, Secretary Term Expires 1993

Janet B. Hendl, Chairman Term Expires 1992

Sarah L. Warner, Vice Chairman Term Expires 1992

Susan G. Cantin Term Expires 1991

PARK COMMISSION

Abolished 4/4/89

Passage of Charter-see DPW

PLANNING BOARD

Elected 3 Yr. Term

Eugene E. Gilet Term Expires 1993
 Thomas E. Firth, Jr., Chairman Term Expires 1993
 Ann H. McCarthy Term Expires 1992
 Kim J. MacKenzie, Vice Chairman .. Term Expires 1991
 James P. Good Term Expires 1991
 Christine A. Gleason, Clerk Term Expires 1991
 Clerk: Joan Garland

SCHOOL COMMITTEE

Elected 3 Yr. Term

Judith B. Mallette, Secretary Term Expires 1993
 Mary E. Frantz Term Expires 1993
 Carl A. Olsson, Vice Chairman Term Expires 1992
 Wendy C. Marcks, Chairman Term Expires 1992
 Barbara H. Ward Term Expires 1991

SELECTMEN

Elected 3 Yr. Term

Roger A. Blomgren Term Expires 1993
 Dennis J. Ready, Vice Chairman ... Term Expires 1992
 Henrick R. Johnson, Jr., Clerk Term Expires 1992
 Bonita A. Towle, Chairman Term Expires 1991
 Bradford O. Emerson Term Expires 1991

SEWER COMMISSION

Elected 3 Yr. Term

Robert P. Joyce, Clerk Term Expires 1993
 Richard J. Day Term Expires 1993
 John P. Emerson, Jr. Term Expires 1992
 Barry B. Balan, Chairman Term Expires 1991

Elected 2 Yr. Term

Jeffrey A. Brem Term Expires 1992
 Sewer Supt: James Casparro

TOWN CLERK

Mary E. St.Hilaire Appointed by T.M. 4/11/90
 Ass't. Town Clerk Elizabeth L. Delaney

TOWN TREASURER/TAX COLLECTOR

James R. Doukszewicz Appointed by T.M. 4/11/90
 Ass't. Treas. Carol Lambert

TREE WARDEN

Abolished 4/4/89

Passage of Charter-see DPW

DEPARTMENT OF PUBLIC WORKS

This year was the first full year of the consolidation of many departments into a Department of Public Works. This format has many advantages for the Town of Chelmsford whereas much equipment, experience and many fine employees can pool their resources and assist with the activities of other Divisions all in the interest of providing better operation and maintenance of the public facilities and infrastructure owned by and serving the Town of Chelmsford. I would like to thank each employee of the DPW for their part in reaching this goal.

ENGINEERING DIVISION

The Engineering Division once again worked closely with the Highway and Sewer Divisions providing design work, computerization, field inspection and reporting on a variety of projects. One of the larger projects undertaken was a complete inventory of 200 miles of town streets along with roadway conditions for each. This information was then computerized into a data base and is valuable in reviewing and planning the pavement maintenance needs and strategies for the coming years. The engineers also assisted the Planning Board in site plan reviews and subdivision review, construction monitoring and costs estimates.

HIGHWAY DIVISION

The maintenance of all town streets was carried out in the usual manner. This includes street sweeping, basin cleaning and repairs, cleaning of culverts and drainage easement, patching pot holes and washouts, replacement and erection of street signs, painting of traffic lines and cross walks, guard rail repair, roadside mowing and brush trimming. In the winter months the department sanded, salted, plowed and removed snow when necessary, to insure safe travel for the public.

List of Projects:

- Riverneck Road (Widen curve)
- Proctor Road & Park Road (Construct traffic safety island)

Random & Multi Crack-Sealing in Bituminous Concrete Pavement at following locations:

- North Road (Portions)
- Acton Road (Portions)
- Dalton Road (Portions)
- Westford St. (Portions)
- Groton Road (Portions)
- Graniteville Rd. (Portions)

Bituminous Concrete Curbing installed at the following locations:

- Westford St. (Two locations)
- Boston Road (Portion)
- Old Westford Rd. (Portion)

Bituminous Concrete surface installed at the following locations:

- Riverneck Road
- Allen Street
- North Road
- Bradford Rd. Ext.
- Swain Road (Landfill)
- Dayton Street

Handicapped accessibility ramps were constructed in the sidewalk area on Boston Road at Adams Library, North Road at Fletcher St., and Chelmsford Common area.

Granite curbing was installed on Boston Road at the Purity shopping area. (Curbing was donated by Purity Supreme Stores).

A 2500 Gallon Calcium storage tank was purchased and installed at the highway yard for storage of liquid calcium which is mixed with sand for road sanding operations. Two

70-gallon saddle tanks were purchased and mounted on sanders for use in dispensing the calcium mix onto the roadways.

Michael A. Crory resigned on September 14, 1990. Mr. Crory was Superintendent of Streets since 1988. Shirley Fletcher retired as part-time clerk in September after many years of dedicated service to the Town. Shirley's efficiency and always pleasant demeanor will be missed. In April, Pearl Koulas celebrated the 40th anniversary of her employment with the Town of Chelmsford. As any present or former superintendent will attest, Pearl is the glue that keeps the entire highway operation together. Personally, I hope that Pearl agrees to stay with us for at least 40 more years.

PARKS and RECREATION DIVISION

The Parks Division continued with its exceptional job of caring for the towns' many parks areas and grassed traffic islands. This year we tried an "Adopt-Park" program where area residents or firms volunteered to cut the grass at a small traffic island to allow our Superintendent and part-time summer helper to concentrate more on upgrading and maintaining the recreational park areas. Many thanks to the participants for their generous assistance.

December saw longtime Parks Superintendent Don Gray retire after 27 years with the Town. Don was truly a valuable employee who worked as long and as hard as was necessary to complete his overwhelming task of caring for the many park areas, most times working alone. We wish Don well in his retirement.

PUBLIC BUILDINGS

The Public Building Division has been severely trimmed back in recent years due to budget reductions. Unfortunately this year saw Mrs. Frances "Fay" Johnson leave due to a reduction in force. Mrs. Johnson was a tireless worker about whom we had received many compliments. Hopefully, Fay will be able to rejoin our staff in the near future. This year Bob Deletetsky oversaw the installation of 12 automatic setback thermostats in the Town Hall building. This allows us to reduce the temperature in unused rooms and on weekends and holidays. We consider the program a success and plan to outfit the remainder of the areas with similar units before next winter. Many thanks to Supt. Bob Deletetsky, Pat Murtaugh and Jerry Johnson for their willingness to adjust to the varying schedules required due to the variety of uses of the public buildings.

SEWER DIVISION

The Chelmsford Department of Public Works is responsible for the sewer building connections, along with pipeline and pump station operation and maintenance.

The following sewer units have been or are expected to be connected to the sewer system by July 1, 1991:

North Chelmsford and Richardson Rd. Area	907
Wellman Avenue	455
Center	322
Golden Cove and Kensington Road Area	65
Industrial District	84
TOTAL	1,843

The flows from Chelmsford to the Lowell Regional Water and Wastewater Utilities from July 1, 1990 to date are as follows:

Katrina Road Pump Station	54,559,300
Southwell Field Pump Station	61,864,500
TOTAL	116,423,800

Residents are reminded that the Town By-Laws require connection to the public sewer within one year of the date the system in front of their property is approved for use.

Respectfully submitted,

James E. Pearson, P.E.
Director of Public Works

HEALTH DEPARTMENT

Board of Health Members

Chairman	Paul Canniff
Vice Chairman	Mark Gauthier
Clerk	Paul McCarthy

Health Department Personnel

Director of Public Health	Richard J. Day
Health Inspector/Asst.	John P. Emerson, Jr.
Departmental Assistant	Diana L. Wright
Town Nurse	Judith Dunigan, R.N.
Town Physician	Eric P. Kaplan, M.D.

Septage and Wastewater Abatement Program

In 1990 the Septage and Wastewater Abatement Program continued its effort to clean up our waterways. The Board of Health has continued to run its dye testing and water sampling program and positive results are being seen. Numerous tests have been performed by the Board of Health along with the issuance of septic system permits for repairs and for new construction. The Board has again instituted new regulations to more specifically address further protection of water quality in town.

Administration and Management

Income for various services and permits is listed below:

Percolation Tests—14	\$ 700
Deep Tests—66	3,300
Sewage Repair Permits—75	1,875
Sewage Construction Permits—28	1,400
Miscellaneous License & Fees	15,489

Complaint and Inspectional Services

During 1990 four inspections were made at new and existing day care centers; one hundred twenty-three inspections were made for Chapter II Housing; eight school inspections; three hundred ten complaints received and checked; Camp Paul inspections; thirty bathing beaches inspections; three International Certificates of Vaccination, restaurant and retail food store inspections; one hundred twenty-three establishments in town inspected twice a year.

Hazardous Waste and Industrial Wastewater

Richard J. Day (Director of Public Health) was reappointed by the Board of Selectmen as the town's Hazardous Waste Coordinator and Municipal Coordinator to enforce the "Right-to-Know" law for this town. The position encompasses actions between State, Federal agencies, the business community and the general public.

Hazardous Waste and Industrial Wastewaters has opened up a whole new area to be monitored. A continuing number of incidents have required a cooperative effort between the town and DEP officials. It is the goal of the Board of Health, along with other town departments, to keep abreast of all current changes and updates in the handling and disposal of all toxic wastes and to supersede any state and federal standards where it would best serve to protect this community and its precious water supplies.

Communicable Disease Program

The Massachusetts Department of Public Health mandates that an epidemiological investigation be undertaken on approximately forty-eight communicable diseases. When a communicable disease is reported to the Health Department by a physician or hospital, the nurse contacts the person involved to ascertain if a probable source of the infection can be determined. In some communicable diseases it is necessary that food handlers or family members are removed from their jobs during the period of communicability. The follow-up report is submitted to the Massachusetts Department of Public Health. Reports on the following diseases were completed during 1990:

Lyme Disease	1
Hepatitis B	4
Salmonella	16
Campylobacter Enteritis	11
Giardiasis	3
Yersiniosis	1
Pertussis	3
Bacterial Meningitis	2
Viral Meningitis	1
Active Tuberculosis	1
Tuberculosis Control Program*	58

*Referrals received from the Lowell Chest Clinic and Middlesex Community Hospital TB Clinic.

The testing of persons exposed to tuberculosis and those persons whose employment require certification of freedom from that disease is another responsibility of the Town Nurse. One hundred fifty-nine mantoux (TB) tests were given to town residents for pre-employment and to household contacts of active cases in compliance with the Massachusetts Department of Public Health regulations. Home visits and telephone calls are made to families of active and some inactive tuberculosis cases on a periodic basis to insure understanding of the illness and that adequate medical follow-up is achieved. Numerous medical records are kept and updated on residents who have a positive (TB) mantoux test and are receiving medication prophylactically and being followed radiologically at the Lowell Chest Clinic.

AIDS and Venereal Disease are reported by the physician directly to the State Department of Public Health to maintain patient confidentiality.

Immunization Program

The Board of Health and Council on Aging sponsored two flu clinics this year. Sixty-three persons were immunized with pneumonia vaccine and one thousand sixty-three persons were immunized with flu vaccine at clinics. An additional one hundred and eighty doses were given to nursing homes, thirty doses to school nurses for staff, seven home visits were made to handicapped or house-bound residents and thirty-one doses to McFarlin Manor and Chelmsford Arms residents. A total of one thousand sixty-three doses of flu vaccine were administered in town.

One hundred seven immunizations were administered to adults and students records in compliance with the Massachusetts School Immunization Laws and prophylactically to residents traveling to underdeveloped countries.

Hypertension Screening Program

Blood pressure screenings for residents are held the first Thursday of every month from 9:00 to 12:00 at the Board of Health, Town Offices. Four hundred thirty-four residents attended the screenings.

Diabetic Screening Program

This procedure takes a short time, involves a small sample of blood by finger prick method, and can be done either fasting or two hours after meals. Residents may call the Health Department office and make an appointment with the nurse at 250-5243.

Cholesterol Screening Program

Cholesterol screenings were offered to residents several times during the year. A nominal fee was charged and the dates were announced in the newspapers several weeks prior to the screening. One hundred fifty-one residents were screened for cholesterol.

Lead Paint Screening Program

The Health Department offers free lead paint testing of children between ages nine months and six years. The procedure takes a short time and involves a small sample of blood by finger prick method. The blood sample is then sent to the State lab for testing. We will forward the results to your physician. Residents may call the Health Dept. at 250-5243 and make an appointment with the nurse. Fifty-seven children were screened for lead paint.

Health Fair

The Town's seventh Health Fair will be held on Saturday, May 18, 1991 from 9:00 a.m. to 1:00 p.m. in Westford. This will be held in conjunction with the Westford Health Department and be open to both Chelmsford and Westford residents. Free screenings to be offered include: blood pressure, height, weight, vision, glaucoma, blood sugar, blood chemistry to include a cardiac risk profile plus many more. Details will be announced in the newspapers or call the Health Dept. at 250-5243.

Mammography Screenings

A Mammography Screening was held at the Town Hall and twenty-six residents attended. The next screening will be held December 1991. Call for an appointment.

Vial of Life Program

The Chelmsford Health Department and Council on Ag-

ing in conjunction with St. Joseph's Hospital, Lowell, will be offering the Vial of Life Program to elderly residents of Chelmsford and anyone else with chronic illnesses or medical problems, including children. This Vial of Life will help you provide valuable medical information to those responding in an emergency.

The vial is a plastic tube which contains vital medical information and persons to contact in case of an emergency. The vial is placed inside the refrigerator on the top shelf, and a Vial of Life sticker is placed on the outside of the refrigerator on the top right corner to alert rescue squad personnel in the event of an emergency.

The vials are free of charge and may be picked up at the Council on Aging, 75 Groton Road; the Chelmsford Board of Health, Town Offices, 50 Billerica Road and the Adams Library, Boston Road.

PERSONNEL BOARD

Members

Pennryn D. Fitts, Chairman
Joan M. Gauthier, Vice Chairman
Angela S. Consgrave, Clerk
John Demers
Harold I. Matzkin

Clerk

Louise Beauchesne

The Personnel Board meets on the second Tuesday of each month at the Town Offices building. Special work sessions are scheduled when necessary.

The Personnel Board consists of five persons (four appointed by the Town Manager and one elected by non-union Town employees).

An extensive salary survey was completed this year, and the Board developed further existing contact with personnel boards in other communities, exchanging information and ideas concerning how best to plan for the Town's personnel needs.

The Board continues to exercise an advisory role; it no longer administers directly under the Personnel By-Laws. Rather, it reviews all personnel actions proposed by the Town Manager, making recommendations to him concerning those actions based upon established Town policy and the latest information available regarding personnel issues.

In this role, the Personnel Board supports fair, equitable personnel practices affecting current Town employees and it perpetuates Chelmsford's reputation for attracting highly skilled and motivated employees.

CHELMSFORD HOUSING AUTHORITY

The Chelmsford Housing Authority Board of Commissioners worked diligently over the past year with Town and State Officials to complete work on the new elderly and family developments. The Commissioners held an open house in August 1989 for the four (4) family units rehabilitated on the corner of James and John Streets in North Chelmsford. The family units on Mill Road were open in November 1989 and the family units on Sheila Avenue were occupied in March 1990. All family units are three (3) bedroom with one of the units set up for a physically handicapped member. The elderly development is located on 8 Sheila Avenue in North Chelmsford. The Ruth K. Delaney Housing for the Elderly has forty eight (48) units, three (3) of which are for the handicapped and one (1) bedroom unit is for the frail elderly who need extra care, but are able to live independently.

The Chelmsford Housing Authority programs, as of June 30, 1990, provide a total of 283 units of low income housing, 140 elderly, 14 handicapped, 129 family. Six of the Authority's programs are funded by the Commonwealth of Massachusetts through the Executive Office of Communities and Development under Chapter 667 and Chapter 705; Chelmsford Arms completed in 1974, 56 regular units and 8 handicapped units; the Community Residence purchased in 1974 for the mildly to moderately retarded, 8 units; 6 two bedroom condominiums in Pickwick Estates were purchased in 1981; McFarlin Manor completed in 1981, 43 regular units, 3 handicapped units, 1 four-bedroom congregate unit which serves the "semi-independent elderly." Under Chapter 707, the Authority's "scattered site" program began in 1974, there are 32 units under lease in the private market. Under the Chapter 705 family program, the units are scattered around Chelmsford on sites mentioned previously. The Section 8 Existing Housing Program presently has 58 certificates under lease and 84 certificates leased under the Section 8 Voucher Program.

The Chelmsford Housing Authority year ending financial statement lists assets at \$7,847,548., liabilities at \$7,847,548. for all developments. All developments are formally inspected annually by maintenance and administrative staff. The Authority is especially grateful to those organizations which express special concern for the Chelmsford Housing Authority residents, and to the Chelmsford Garden Club for their assistance in the beautification of the developments every year.

Members of the staff include, Mary E. Royce, Executive Director, Helen Cantara, Administrative Assistant, Linda Dalton, Junior Clerk, Robert Trainor, Full-time Maintenance Mechanic and Richard O'Neil, Part-Time Maintenance Laborer and Paul St. Louis, Grounds Keeper. Regular meetings are held at McFarlin Manor, 10 Wilson Street at 7:30 p.m. on the first Tuesday each month. The Annual meeting is first Tuesday in May. All meetings are opened to the public. The Chelmsford Housing Authority Board of Commissioners would like to thank the residents of Chelmsford and Town Officials for their continued support and cooperation.

BOARD OF COMMISSIONERS

NAME	TITLE	TERM EXPIRES
Ruth K. Delaney	Chairman	1995
Robert L. Hughes	Vice Chairman	1993
William P. Keohane	Treasurer	1991
Lynn Marcella	Asst. Treasurer	1992
Pamela A. Turnbull	Member	1993
(State Appointee)		

CHELMSFORD PUBLIC LIBRARY

Adams Library, 25 Boston Road, Chelmsford Center

Anna C. MacKay Memorial Branch Library
Newfield Street, North Chelmsford

Library Trustees

Janet Hendl, Chairperson
Sarah Warner, Vice Chairperson
Elizabeth McCarthy, Treasurer
Lynda Warren, Secretary
D. Lorraine Lambert
Susan G. Cantin
James Decker

Collections and Circulations: The library circulated 293,140 items during 1990 and answered over 10,000 reference and research questions for residents of all ages. The library has over 26,000 registered borrowers. In March, the library introduced new on-line computer catalogs. These catalogs give instant access to Chelmsford Public Library's collections and to the collections of the 22 libraries in the Merrimac Valley Library Consortium. The on line or public access catalogs make available to our patrons nearly 1 million unique titles and encourages resource sharing and cooperation among area libraries. The Library's collection felt the impact of a 34% reduction in its book budget. Purchasing was severely limited and long lists were the norm for popular titles.

Programs and Services: Because of staff lay-offs, programs and services were reduced on all levels. The library staff, however, continued to sponsor lectures and programs on a monthly basis throughout the year. These ranged from a successful "Love your Library" contest which involved over 700 patrons to health programs such as cholesterol screening and a stress workshop. The Children's House and MacKay Branch Library sponsored a Summer Reading Program in which 553 children participated. Children's storyhours continued at both the Children's House and the MacKay Branch Library. Laura Husted, a library volunteer, conducted storyhours at the MacKay Branch Library. The Friends of the Library continued to support library activities with many donations including a subscription to a CD-ROM periodical index and museum passes to the Boston Aquarium, Children's and Science Museums, and the Museum of Fine Arts. Finally, staff lay-offs resulted in reducing the number of hours the library was open to the public. The MacKay Branch Library had its hours cut

in half. The Adams Library closed Sundays and Thursday morning. The Children's House closed all day on Thursday.

Personnel: Mary Mahoney joined the Library staff as Director on February 12, 1990. In January, Judith Hildebrandt resigned as Head of Reference and was replaced by Joseph Wisniewski. Gloria Jacobs resigned as Head of Technical Service and was replaced by Laura Kulik. Marguerite Donald retired in March. Due to budget constraints, the library laid-off 13 part-time library assistants in July. These library employees had given a total of 43 years of service to the Chelmsford Library. Volunteers continued to be a vital support for library staff throughout the year.

Facilities: Maintenance of the century old facilities is on-going. The Children's and Carriage Houses had vinyl siding installed to replace "rotted" cedar shingles; The ceilings in the Children's House, which had extensive water damage and were falling down, were replaced. New carpeting was installed. The Carriage House was treated for a severe termite infestation. Both the Children's House and Carriage House were insulated for energy conservation. The Friends of the Library provided the paint to paint the interior of the Children's House and the Newcomer's Club gave a donation for new study tables. The Adams Library was reorganized. With budget cutbacks, the Fine Arts Department was eliminated. The Reference Department moved to the second floor in order to gain additional shelving and study areas. The leaking pipes in the basement level were replaced which involved removing the entire ceiling and replacing all the lighting fixtures. All four library buildings were hooked up to the Town's sewer and the parking lots were repaved. The front walk of Adams was replaced because the old walk was cracked and was a safety hazard. The MacKay Library had a new oil burner installed.

Goals: Despite the repairs and improvements to the library facilities, the Library Trustees recognize that buildings remain inadequate for current library needs. In fact, the buildings inhibit good library service because of the lack of handicapped access, shelving, seating, study and work spaces. The Library Endowment Committee and the Library Site Committee continue to work and plan for a new or expanded library facility. The current fiscal limitations are a strain on library service; however, the Trustees and Staff continue to work to provide a quality library for residents.

Statistical Reports

Monies deposited with Town Treasurer
from fees, fines & lost materials \$19,016.39
Circulation: 293,140
Staff: (full-time) 113
(part-time) 5.7 (FTE's)

Departments:

Assistant Director: Sandra Yensen
Reference: Joseph Wisniewski
Children's: Cheryl Zani
Circulation: Linda Robinson

Community Services: Judy Buswick
 MacKay Branch: Rona Call
 Technical Service: Laura Kulik
 Maintenance: John Reslow

Respectfully submitted,

Mary E. Mahoney
 Library Director

NASHOBA VALLEY TECHNICAL HIGH SCHOOL

Serving the Towns of Chelmsford, Groton, Littleton,
 Pepperell, Shirley, Townsend and Westford.

DISTRICT SCHOOL COMMITTEE

Thomas Carey	Chelmsford
J. James Howells	Westford
Ellen Hargraves, Chairman	Groton
Howard Burns, Vice Chairman	Pepperell
John Donohoe	Chelmsford
Stratos Dukakis	Chelmsford
Augustine Kish, Secretary	Littleton
Irene Machemer	Townsend
Robert Manning	Shirley
Charlotte Scott	Westford
Jerrilyn Bozicas	Pepperell
Joan O'Brien	Westford

ALTERNATES

Harvey Atkins, Jr.	Littleton
Stephen Dunbar	Townsend
Kevin Finnegan	Westford
L. Peter Noddin	Shirley
Jordan Waugh	Groton
Ronald Wetmore	Chelmsford
Al Buckley	Pepperell

ADMINISTRATION

Bernholdt Nystrom	Superintendent-Director
David McLaughlin	Assistant Director/Principal
Ralph Dumas	Accounting Manager

SUPERVISION

Victor Kiloski	Academic Coordinator
Paul Royte	Guidance Director
Paula Page	Special Education Coordinator

Nashoba Valley Technical High School's enrollment, as
 of October 1, 1990 is as follows:

Chelmsford	106
Groton	51
Littleton	27
Pepperell	89
Shirley	34
Townsend	54
Westford	72
Ayer (tuitioned)	55
Total	488

Nashoba Valley Technical High School is accredited by
 the New England Association of Schools and Colleges, Inc.

and provides its students with on-the-job training, saleable
 skills, a co-op program, a high school diploma, a trade
 certificate, an opportunity for further education at a col-
 lege of their choice and job placement.

Over the past decade, the record of employment for our
 graduates has averaged approximately 90%. Each year
 qualified seniors may elect to take advantage of our Co-
 op Training Program which allows senior students to work
 in industry during their shop weeks and receive valuable
 training in their chosen fields as well as a salary.

The following programs are offered at Nashoba
 Technical High School:

Technical Programs

Auto Body	Horticulture/Landscaping
Automotive	Machine
Carpentry	Medical Occupations
Culinary Arts and Baking	Metal Fabrication
Data Processing	and Welding
Drafting	Painting and Decorating
Electrical	Plumbing and Heating
Electronics	Printing
Building and Grounds	

Academic Programs

English	Geometry
Social Studies	Trigonometry
U.S. History	Advanced Mathematics
Consumer Education	Biology
General Mathematics	Physics
Algebra	Chemistry

How to Start Your Own Business

In addition to the technical and academic programs,
 a full Inter-Scholastic Athletic Program is offered to the
 students.

ADULT EDUCATION

Nashoba Valley Technical High School's Adult Educa-
 tion Program is open to anyone of high school age or over.
 Residents from all communities are welcome to participate
 in the many diversified courses which are offered during
 both the fall and spring semesters. This year 713 students
 enrolled in our Adult Education Program during the fall
 and winter semesters.

PLANNING BOARD

Thomas E. Firth, Jr., Chairman
 Kim J. MacKenzie, Vice Chairman
 Christine A. Gleason, Clerk
 Eugene E. Gilet
 James P. Good
 Ann H. McCarthy
 John F. McCarthy
 Principal Clerk, Joan L. Garland

The Chelmsford Planning Board began the year by
 reorganizing the Board and appointed Mr. Thomas E.

Firth, Jr. as Chairman, Mr. Kim J. MacKenzie as Vice Chairman, Ms. Christine A. Gleason as Clerk. Mr. Eugene Gilet is the representative to the Northern Middlesex Council of Governments.

In 1990, two (2) Subdivisions plans were approved. They were located in the following areas: 7 Lots on Hildreth Street and 3 Lots on School Street.

Eight (8) Site Plans were approved in 1990.

Twenty-nine (29) Form A Plans, Subdivision Control Law Not Required, were signed by the Chelmsford Planning Board.

CHELMSFORD SCHOOL COMMITTEE

Left to right: Mary Frantz; Carl Olsson, Vice Chairman; Wendy Marcks, Chairman; Barbara Ward; Judith Mallette, Secretary; Donna Sartz, Student Representative; Richard Moser, Superintendent.

CHELMSFORD SCHOOL COMMITTEE

The Chelmsford School Committee began the 1990 school year with a central office reorganization that included the employment of a Superintendent, Dr. Richard H. Moser; an Assistant Superintendent, Dr. David Troughton; a Business Manager, Mr. Sylvester Ingeme; a Director of Elementary Education, Mrs. Mary Ellen Normandin; and a Director of Educational Technology, Mr. Bernard DiNatale. The new organization represents a decrease of one central office administrator from the previous school year.

The 1990 school year began with the challenge of reducing the school budget by \$506,000 to meet the pressures of a decrease in state funding and the constraints of limited town resources. The reductions included cutbacks in educational supplies, instructional materials, substitute employees, transportation, School Committee expenses, and school personnel.

The \$506,000 reduction was followed with the need to plan for a FY'92 budget in excess of \$3,000,000 less than the voted budget for FY '91. Severe reductions in personnel, operating expenses, and instructional resources have been contemplated. The Chelmsford School Committee continues to work toward support of public education in the wake of declining resources, severe program cutbacks, and only a glimpse of change for the future.

Despite a difficult financial picture, the Chelmsford staff has continued to contribute to a quest for quality education for Chelmsford youth. The following reports will provide a description of some of the accomplishments of our staff and students. We are proud of our school community and look forward to a more favorable financial climate to match the enthusiasm and energy of our young people.

FROM THE PRINCIPAL OF CHELMSFORD HIGH SCHOOL

There are currently 1,515 students with 97 full-time and 11 part-time teachers, six counselors, a principal and three house deans at the high school. Three staff members have earned doctor's degrees and 99 have earned master's degrees. Two of our teachers have authored books this year and one was recognized in Who's Who in Education. Our student profile is also one that we are proud of. There are eight National Merit Finalists, 22 National Merit Commendation Winners and 86 percent of our students go on to higher education.

Our student body is very active in the co-curricular life of the school and in the community. We have an active chapter of the Thomas Jefferson Forum which focuses on community volunteerism. We have 32 school-sponsored activities and clubs. Our Student Council has been recognized by the state as exemplary the past three years and its membership includes the National, State and local

presidents. Our calculus team is the National Champion; our math team placed third in New England; our computer team placed ninth nationally; our literary magazine received first place honors; our newspaper received honors; and our television club produced two award-winning works.

We have twenty-four interscholastic athletic teams which produced many individual and team champions at conference and state levels. We have students who have achieved state, New England and National All-American honors.

The high school staff will be undergoing a year-long self-assessment which will provide us an opportunity to explore all avenues for delivering the same quality educational programs more efficiently with fewer resources.

FROM THE PRINCIPAL OF THE MCCARTHY MIDDLE SCHOOL

The McCarthy Middle School currently houses grades six, seven, and eight and services over 1150 students. Although the building has been in use for thirty-two years, it is well maintained largely due to the efforts of students, teachers, and custodial staff.

This year, the special education staff in cooperation with a team of sixth grade teachers has begun a pilot integration program. This program provides the assistance of the resource room teacher and the resource room E.S.P. to the regular students as well as the special education students in the areas of science and mathematics. Throughout the year, the program will be evaluated and monitored in order to make appropriate changes to improve student instruction. Hopefully in future years, this type of program will be available to special education students at all grade levels in the McCarthy Middle School.

The number of classes of students utilizing the computer rooms continues to increase at all grade levels. Through the efforts of Mrs. Betty Hanson and Mrs. Sheila Kelly, the use of computers in the general music program has expanded the horizons for many students.

The students at the McCarthy Middle School have continued to show an awareness of their social responsibility through such efforts as "Project 300," providing food baskets for the needy, and their support of our troops stationed in foreign lands.

FROM THE DEPARTMENT HEAD FOR MATHEMATICS GRADES 9-12

The Chelmsford High School Mathematics Department continues to adapt its curriculum to meet the needs of our students. The Pre-Algebra course, initiated two years ago, has proven to be successful with our lower achieving students. If a student is successful in this course, he is

recommended to continue in the college preparatory program and is encouraged to elect Algebra One. If a student has difficulty passing Pre-Algebra, he is recommended to take a skills and/or consumer mathematics course.

Due to budgetary constraints the High School Mathematics Department was reduced by three teaching sections (60% of a teaching position). Fortunately, it did not cause any course to be eliminated from running. However, further reductions in force will definitely cause the elimination of courses with low subscription. This will have an adverse effect on the quality of education that our children will receive.

I would like to congratulate Joseph Ford, whose Calculus Team won the Calculus League National Championship and also congratulate Richard Olson, whose Computer League Team was ranked ninth nationally.

FROM THE DEPARTMENT HEAD FOR SOCIAL STUDIES (GRADES 9-12)

The world has undergone tremendous change in the last year. The Berlin Wall has been torn down, Germany is being unified, the desire for sovereignty has been expressed in a number of Soviet states, and the United States a strong stand in the Middle East. The Social Studies Department at Chelmsford High School continues to offer a strong core curriculum that includes political science, world history and United States History as well as electives that include courses in economics, psychology, sociology, international relations, law, Asian studies, and the holocaust. Through these courses and several co-curricular activities, the veteran staff prepares students for active, informed citizenship on the local, state, national and international levels.

Co-curricular activities include an International Relations Club that participates in several Model United Nations programs, the Chelmsford Education Foundation News Quiz Championship, The Framingham State Essay Contest, National History Day competition and Citizen Bee among others.

Department members are hopeful that they will be able to maintain the strong program that has developed and are committed to the continued professional growth and effort that are necessary for that to happen.

FROM THE DEPARTMENT HEAD FOR ENGLISH (GRADES 9-12)

For the second consecutive year, a Chelmsford High senior and the High School English Department were recognized nationally by the National Council of the Teachers of English. Joshua Safdie, Class of 1991, was one

of only 13% to be recognized for superior writing in the NCTE Achievement Awards in Writing; the English department was commended "for excellence in its instructional program by the NCTE."

Other achieved honors include the awarding of First Place to Kristen Wikander, Second Place to Martha Seneta, and an Honorable Mention to Leslie Steinman, all from the Class of 1993, in the UMass Excellence in Expository Writing Program; the Bard College Prize for Critical Writing awarded to Karl Wagner; a Second Place (local) and Third Place (regional) Awards to Daniel Isleib, Class of 1991, in the Voice of Democracy speechwriting program sponsored by the Veterans of Foreign Wars; the achievement of First Place in the state and Tenth Place nationally by our ninth graders in the Language Arts Olympiad; the qualification of fifteen of our senior English Advanced Placement students for college credit on the national standardized test. The naming of Stephen Meidell, Department Head, English, to *Who's Who in Teaching*; the participation by Liz Foster, high school English teacher, in both the New England Association of Teachers of English and National Council of Teachers of English conferences.

The English Department of the high school will continue to be involved in professional conferences and workshops to update our curriculum so that we may meet the needs and challenge our students to perform to their potential. One program to be initiated in 1990-91 is a recognition of student writing across the curriculum tentatively titled "The Writings On The Wall." This would provide bulletin board space in a prominent area to display effective writing by high school students at all levels and in various subject areas.

FROM THE DEPARTMENT HEAD FOR SCIENCE (GRADES 9-12)

Mr. Donald Parkhurst, after twenty years of teaching chemistry at the high school, has left the system. Mr. Parkhurst was an inspiration to us all at Chelmsford High School and the Science Department in particular. His total commitment to his profession made us all aspire to be better teachers. We will miss him greatly.

Dr. Bruce Burnett has been hired to fill the chemistry position. We look forward to working with Dr. Burnett and are anxious to share in the enthusiasm he brings to the position.

In our never-ending efforts to keep our curriculum up to date and relevant, the vast majority of the science teachers have been attending workshops and seminars throughout this past year. One such workshop was a three week biotechnology program offered by the chemistry and field studies departments of the University of Lowell. John Prescott, Donald Parkhurst, Andy Sorenson and Michael Tate represented Chelmsford at this exceptional program. Our curriculum was enriched by several laboratory exercises as a result of their efforts.

We continue our relationship with the University of Lowell via the two-way television program. We hope to expand the program so as to involve as many of the students as possible.

Thank you for your support.

FROM THE DEPARTMENT HEAD FOR PHYSICAL EDUCATION/HEALTH (GRADES K-12)

Health education came to the forefront this past year with various curriculum innovations, updates, and workshops. At CHS a junior/senior health elective was begun as a supplement to the ninth grade health program. In October, a series of workshops on contemporary health topics entitled "Equipped for the Future" presented by Harvard Community Health clinicians was attended by 352 high school students.

A new eighth grade health program was initiated this year in order to provide continuity between the current seventh and ninth grade health programs. Additionally at McCarthy, two parent workshops were presented to support the seventh grade "Skills for Adolescence" health curriculum. On November 15th, another successful "Great American Smoke Out" program was conducted.

Last spring "Growing Healthy," an interdisciplinary, hands on, comprehensive health education program, was adopted at the elementary level. This fall grade level workshops were conducted for teachers in grades 3, 4, and 5 as the first stage of the curriculum phase in. Follow up workshops have been scheduled for March. Next fall "Growing Healthy" will be phased into grades K, 1, and 2.

Numerous drug/alcohol related educational materials were acquired this past year for grades K-12 through the Governor's Alliance Against Drugs Grant Program.

The health and physical education departments, combined for the first time this year, share the common goal of educating our students in the development of healthy and active lifestyles. Our goal this year will be to explore ways to work together toward this end.

FROM THE PROGRAM SUPERVISOR FOR ATHLETICS (GRADES 9-12)

The Chelmsford High School Athletic Department during the 1989-90 school year fielded 28 varsity teams, 13 junior varsity teams, 1 sophomore team, and 7 freshman teams. An overall record from 337 varsity contests was 230-98-9 with a total of 983 athletes competing. The

department finished third for the Dalton Trophy as the most winning program in all of Division I.

GUIDANCE DEPARTMENT

Post Secondary Education Placements

In 1990, there were 399 graduates. Of those graduates, 342 went on to post-secondary education which represents 86%.

4 year colleges	288	(72%)
2 year colleges	38	(10%)
technical schools	16	(4%)
	<u>342</u>	<u>86%</u>

In terms of non-educational placements, 47 students elected employment, seven joined the military, one student planned marriage, one was undecided and one student joined the American Field Service program.

Advanced Placement Program

In May of 1990, 98 students took 184 Advanced Placement examinations at Chelmsford High School with 85% of the grades falling in the 3-5 range. The program grades on a five-point college-level scale:

- 5—extremely well qualified
- 4—well qualified
- 3—qualified
- 2—possibly qualified
- 1—no recommendation

Generally, AP grades of 4 and 5 are comparable to college grades of A and grades of 3 and 2 most comparable to college grades of B and C, respectively. Many colleges will award a third to a full year of placement and credit to successful AP candidates.

Drop Out Rate:

The drop out rate at Chelmsford High School continues to be low. During the 1989-90 academic year, CHS had a total student enrollment of 1564. The number of drop outs was 14, which represents a drop out rate of .9%.

ACADEMIC YEAR 1989-90

	Req. to Employment	Leave	Voluntary Withdrawal	Total
Boys	3	1	6	23
Girls	1	0	3	4
Total	4	1	9	14

Scholastic Aptitude Test Scores (SAT)

Chelmsford High School average scores for the Class of 1990 continue to be higher than the average Massachusetts and National scores.

In the verbal area, Chelmsford scored 458 which is 31 points higher than the State average (427) and 34 points higher than the National average (424).

In the math area, Chelmsford scored 509 which is 36 points higher than the State average (473) and 33 points higher than the National average (476).

Service Study and Career Exploration Programs

In the 1989-90 academic year, 130 students enrolled in ten Service Study and Career Exploration programs.

The Service Study Program is a voluntary elective designed to combine practical experience with the students' academic studies as they use their free time to pursue an area similar to their chosen field. There is an opportunity for students to assist our athletic trainer and there are several programs designed for students who are interested in working with special needs children. Approximately 140 job postings were available to the students as employment counseling was added to the Service Study Program as well as the Career Center opportunities.

The Career Explorations Program gives an opportunity to all students to supplement their schedule and gain insight and experience as they volunteer to work as an assistant in our offices, library, science lab, television studio, or graphic arts.

Scheduling for these programs is flexible and the electives may be taken for one semester or the entire year. All students are placed in their preferred area and credits are distributed according to the number of periods they work, their performance and attendance.

Career Center

The Chelmsford High School Career Center continues to be a model for student awareness of college, vocational and career information. Students and parents use this facility for college search, occupations, descriptions and various career options, employment and also as a study area.

The following events took place in the Career Center from September 1989 to June 1990:

- 141 college representatives and speakers were hosted
- 30 Chelmsford High School Alumni participated in Reverse College Day
- 140 Job Postings were available to students
- Various military personnel visited the Center during the school year
- Counselors and teachers brought classes and homerooms to introduce students to the facility
- The annual Job Fair was held in the Career

Center in May and Personnel Officers from over 20 companies attended.

The Career Center is stocked with up-to-date college catalogues, college applications and financial aid information. Additionally, computers and Video Cassette Recorders are available to search for colleges, job descriptions, financial aid and scholarships.

The Career Center is open from 7:25 a.m. until 1:50 p.m. for students, parents, and the Chelmsford community at large.

FROM THE DEPARTMENT HEAD OF PRACTICAL ARTS 7-12

September of 1990 saw the change from three department heads for the areas of Business Education, Home Economics, and Technology Education to one department head for the area of Practical Arts (which includes Business Education, Home Economics, and Technology Education). This new position has been a very challenging one for me because I had to become more familiar with the various curricula areas. The challenge continues as I am still learning Sewing, Cooking, understanding Early Childhood Development, Accounting, Fashion Merchandising and others.

BUSINESS EDUCATION

The Business Department presently has five staff members with expertise in a wide range of Business and Distributive Education subject areas. Subjects taught are Introduction to Business, Typing, Speedwriting, Accounting, Business Records, Word Processing, Introduction to BASIC, Fashion Merchandising, and Marketing. For the 1990-1991 school year a change was made in the Typing curriculum in which typing was changed from a full year class to a semester class. This was done to allow more students to elect to take Typing backed up to another semester course in the Business area or another discipline.

1990 represented an outstanding year for the Marketing classes at C.H.S. Fifty-eight students participated in the District competition with five students placing First, four students placing Second, five students placing Third, and twelve students receiving a Certificate of Merit for placing in the top eight. This allowed Chelmsford to send from the original 58 students, thirty-one students to the State Competition. They competed against students from seventy other schools in the state. During the State Competition, Chelmsford placed nine students in the top awards of First, Second, or Third Place thus qualifying for the National Competition in San Jose, California. Chelmsford ranked 2nd in its standings of State Finalists. At the National Competition, Chelmsford's nine students were among the approximately 8,000 students and advisors to represent the 50 States, District of Columbia, Canada, Puerto Rico, the Virgin Islands, and Guam. One student received First Place, and two students received a Certificate of Merit for their hard work and devotion to the Marketing Program at Chelmsford High School.

HOME ECONOMICS

The goal of the Home Economics Department is to provide students in grades 7 through 12 with practical life skills. Because both parents are often working, or single parent families exist, there is a need for young people to accept responsibility at an early age.

Home Economics begins at the 7th and 8th grade level with a 10 week program that introduces both boys and girls to the basic skills in cooking, sewing, consumerism, and decision making. The curriculum continues with electives at the High School that include Foods courses, Family Living, Sewing, and Child Development. The Early Childhood Education Program, using the Community Education sponsored Pre-School as a laboratory for the high school students, continues to be successful. Some of our students continued their education in this field, as more care giving services are needed. Education for child care and parenting will become more important in the next decade.

TECHNOLOGY EDUCATION

Students at the McCarthy Middle School enjoy the designing and construction of a race car and the design and construction of a dream house. Although every student has Technology Education classes for only one quarter of the school year, they seem to benefit from the class and receive a great deal of insight into the World of Technology that is just ahead for them.

This year saw a special award offered to Mr. Michael Cerullo, one of the teachers at the McCarthy Middle School. T.E.A.M. (Technology Education Association of Massachusetts) honored Mr. Cerullo as the Outstanding Teacher of Technology Education from the state of Massachusetts. Michael is well deserving of this award and was given the opportunity to represent our state at the National Convention. Congratulations, Mike.

Grades 9-12 saw a reduction in the number of course opportunities for the students to choose from and the courses remaining, saw a significant increase in class size.

Courses offered in the Technology Education Department include:

GENERAL DRAFTING	TECHNICAL DRAWING
ARCHITECTURAL DRAWING	ANALOG ELECTRONICS
DIGITAL ELECTRONICS	TECH. ED. EXPLORATORY
FINE FURNITURE	HOUSE CONSTRUCTION
CONSTRUCTION	SMALL ENGINE REPAIR
GENERAL WELDING	

It is my hope that parents will research these courses and encourage their daughters and sons to sign up and take a few of these courses while at C.H.S.

FROM THE DEPARTMENT HEAD FOR FOREIGN LANGUAGE (GRADES 7-12)

The Foreign Language program in Chelmsford continued to be very strong during 1989-90. Even inspite of declining enrollments, we have seen an increase over the past years in the percentage of students studying a foreign language. During 1989-90, approximately 68% of CHS students and 51% of McCarthy students were involved in our program.

We continued to work on updating the course curricula and streamlining the course sequences in Spanish and French. Three teachers received a Horace Mann grant to work on the level I curriculum. As of September 1991, the courses at McCarthy will be called Spanish I and II, and French I and II. When the students enter CHS they will continue with a level III Spanish or French course.

The extra curricular activities usually sponsored at CHS by the Foreign Language Department were all offered, except for the Foreign Language Club. The German, French, Spanish, and Italian Exchanges continued, and the French and Spanish Honor Societies again held their inductions in the spring. Outstanding senior Spanish, French and Latin language students were recognized at the Academic Awards Night in May. At McCarthy, Mrs. Deschenes' annual trip to Quebec was enjoyed by all students who participated.

FROM THE DEPARTMENT HEAD FOR FINE ARTS

The Fine Arts Department has much to be proud of—there are many high school students who have attained remarkable success. Their success is possible because of the strong foundation that has been built in the elementary schools. It is here that basic concepts and skills are taught while children are introduced to the sense of personal satisfaction and accomplishment that is an essential product of creative education. A strong art and music curriculum addresses aspects of developmental growth and whole-brain thinking that would not otherwise be fully explored. Every child gains valuable skills when our fine and performing arts program supports and enhances regular classroom learning.

This learning process becomes more sophisticated at the Middle School, and by High School, students have an opportunity to discover and refine individual strengths and talents. Rich and varied course offerings make this possible. While every student who elects art and music will gain from this experience, some will discover that indeed they can excel. The art department is well represented in both the Boston Globe Show and Art All-State; the instrumental, strings and choral programs have many students performing in district, regional, All-State and All-Eastern competitions. Pride in these accomplishments is shared by all dedicated teachers who have taught and supported these students.

Chelmsford Public Schools maintains its reputation of providing an outstanding fine arts education when students are recognized in competitive exhibitions and performances. Our commitment to teach art and music from kindergarden through grade twelve reflects a dedication to excellence in all areas of education.

FROM THE DEPARTMENT HEAD FOR SOCIAL STUDIES (GRADES 6-8)

The department began with a series of activities regarding the Middle East. Later, letters were written to the troops, some classes sent materials. A holiday video was produced by Team 2 that involved the whole school. Election 90 was covered in many classes and the culminating activity was a mock election using actual ballots and our own ballot box which was donated to McCarthy by the Town Clerk. The National Geography Bee will take place in January. Students will participate in National History Day and their own News Quiz. The 8th grade has piloted texts and hope to incorporate one in the next fiscal year. Geoffrey Hall, a U.S. history teacher for 17 years was elected to the Massachusetts House of Representatives.

FROM THE DEPARTMENT HEAD FOR SCIENCE (GRADES 6-8)

The major goal of the science curricula, grades six through eight, is to develop in the students the skills of scientific investigation which involves not only measurement and laboratory techniques but also problem-solving situations. To accomplish this goal, the science teachers employ a variety of techniques which involve notetaking along with the keeping of a notebook, audio-visuals, oral exercises, laboratory activities and homework. These techniques are used to develop organizational, listening, critical thinking and research skills. The sixth grade content involves units in the life, earth and physical sciences as well as health and environmental education, while the seventh grade curriculum stresses the life sciences and the eighth grade program involves geology, astronomy, meteorology and oceanography.

During the 1990-91 school year, the science staff, in addition to their regular classwork has been active with 1) piloting and evaluating textbooks for updated text selections, 2) revising curricula, 3) planning outdoor education trips and 4) attending workshops on new technology and grants.

FROM THE DEPARTMENT HEAD FOR ENGLISH (GRADES 6-8)

The McCarthy Language Arts Department had a very busy year. Monique Dumont, the eighth grade winner of our school spelling bee, went on to win the Lowell Sun Spelling Bee. Also, several of our students did very well in various writing contests; for example, we came in first in the essay contest sponsored by the Elder Services of the

Merrimack Valley and in the contest sponsored by the Chelmsford Emblem Club. The writing talents of our students were also showcased in the Team II Tidbits, a weekly newsletter to parents, and in our school literary magazine. Also, in order to share stories they had written for a young audience, several seventh grade authors and their teachers went on a field trip to Harrington School first grades. In addition, several classes were able to take advantage of the various area theater offerings such as *Les Miserables*. Finally, we have been able to continue to update some of our texts and materials and to involve more teachers and classes in the computerlab.

FROM THE DEPARTMENT HEAD OF MATHEMATICS (GRADES 6-8)

Although scores on the Massachusetts Educational Assessment Program indicate a solid mathematics program, the mathematics department at McCarthy Middle School continue to evaluate the curriculum goals relative to the Curriculum and Evaluation Standards published by the National Council of Mathematics Teachers. During the past years the teachers have put new emphasis on problem solving strategies and each month more than 700 students are taking part in the Continental Math League Competition. In June '90, Mr. Robert Germann's sixth grade team was awarded first place in the national competition and team members Erika Black, Julie Lisavich and Gregory Rideout recognized for perfect scores.

Members of the mathematics department strive not only to meet the needs of all students but also to challenge each individual to fulfill his or her potential. Advanced courses in algebra and geometry are offered and one hundred forty-two students currently participate in these accelerated programs. Development of good computational skills is encouraged at all levels as well as appropriate use of calculators. Students have been asked to provide their own calculator.

The mathematics department has also tried to recognize students with special interest and ability in mathematics. This year Melissa Fay was awarded the Robert McCullough Mathematics Trophy.

FROM THE ADMINISTRATOR OF SPECIAL EDUCATION

Massachusetts' Chapter 766 and the Federal Government's Public Law 94-142, the Education of Handicapped Children Act, were enacted to assure that all handicapped children have a free and appropriate education to be provided by the local community.

The Special Education Department in Chelmsford is responsible for providing effective programs and services for children, ages three through twenty-one, who are found to have special needs.

Part of this responsibility is to assure that each handicapped student receives an education designed to meet his or her unique learning needs and to receive the services in the least restrictive environment.

As of December 1, 1990 the Special Education Department had 847 students registered to receive special education services, which represents 16.6 percent of Chelmsford's total school enrollment.

A staff of seventy-one special education personnel develop and implement the individualized educational plans for these students. For those students with severe learning and/or emotional needs, Chelmsford provides for placement in private day or residential schools as approved by the State Department of Education.

For the 1990-1991 school year, the Chelmsford Special Education Department has a budget of \$3,734,437, of which \$285,809. is provided through grants by the federal government.

The Special Education Department will continue its quest to provide effective and cost efficient programs and services for the children we serve.

FROM THE DIRECTOR OF COMMUNITY EDUCATION

During the 1989-1990 school year, Chelmsford has seen an increase in self supporting programs. Community Education Childcare Services, Adult Education Courses, and Summer School have continued to provide services to the Community on a tuition/user fee basis.

Childcare Services include a Preschool Program at Chelmsford High School, Full Day Kindergarten, and Extended Day Services for school age children 7:00 a.m.-6:00 p.m., Vacation/Snow Days and a Ten Week Summer Camp.

Adult Education continues to offer Fall, Winter and Spring sessions and is an extension campus for Northeastern University and Middlesex Community College. Summer School administers both remedial and enrichment programs to approximately 600 students in grades 2-adult.

Our Out-of-Town tuition program attracted over 30 students from surrounding communities and this past year refunded \$67,000.00 to the regular school budget.

Community Education is pleased to offer these services to the Chelmsford Community on a self supporting basis. Continued growth is expected for 1990-1991. Brochures listing all courses and programs are mailed to all homes during August, January, and March.

FROM THE DIRECTOR OF DATA PROCESSING

Since 1981, when the School Department started its own in-house computerization effort, all major school business related applications have been automated on our computer systems. These systems include a DEC 11/44, VAX 750, and various microcomputers. In-house staff now maintain all data bases on students, accounting, personnel, census, scheduling, attendance, report cards and a plethora of other applications.

Other town departments serviced in some way by the school computer include: Town Clerk, Council on Aging, Town Candidates for Office, Town Library, Selectmen's School Warrant Report, Community Education, PTA, Booster Club, Nashoba Valley Technical Vocational School, Police Department, Commission on Handicapped, Sewer Commission and Planning Board.

Future involvements will revolve around networking computers, data communications and telecommunications. Technical obstacles to these formidable endeavors are being evaluated and have the potential to significantly increase the productivity of the schools. Unfortunately, with the town's reduced Local Aid the School Computer Department is trying to keep its head above the waters of fiscal reductions.

IN CONCLUSION:

Sincere thanks are once again extended to the town officials and boards, to the school personnel, to the parents, teacher organizations, to the many advisory committees, to the School Improvement Councils, school volunteer workers, and to the citizens for their cooperation and assistance this past year.

The School Committee wishes to extend its deep appreciation to the following staff members for their years of loyal and meritorious service and who have retired this past year:

William F. Mullin—Superintendent of Schools
Dorothy M. Woodhams—Assistant Superintendent
Thomas J. Carroll—Director, Math-Science-Budget
Evelyn Desmarais—Principal at Harrington School
Natalie O. Jones—Administrative Assistant
Elizabeth Donovan—Secretary in the Administration Office
Lucille Bean—Teacher at Parker School
Robert J. Caton—Maintenance Supervisor
Phyllis Clark—Teacher at South Row School
Janet M. Clement—Instructional E.S.P. at Parker School
Marion E. Hickey—Teacher at Westlands School
Mildred LaRock—E.S.P. at Westlands School
Elinor P. Lynch—Teacher at McCarthy Middle School
George Martin—Custodian at Byam School
Sylvia J. Ostman—Teacher at McCarthy Middle School
Patricia A. Phaneuf—Teacher at South Row School
Jacqueline Roberts—Teacher at Chelmsford High School

In Memoriam

The Community and the School Department were grieved by the deaths of Robert Comrie, Custodian at the Byam School and Leroy Fielding, Security Guard. They will be long remembered for their dedicated service to the school system and their devotion to the children of the Town of Chelmsford.

CHELMSFORD SEWER COMMISSION

Rear: Richard Day, Jeffrey Brem and Robert Joyce. Front: Barry Balan, Chairman and John P. Emerson, Jr., Chairman.

REPORT OF THE SEWER COMMISSION

The Chelmsford Sewer commission underwent restructuring in 1990 due to the new town charter. First, the Commission was expanded to five members. Newly-elected commissioners Richard Day and Jeffrey Brem have added their knowledge and professional expertise to the Commission. In addition, Barry Balan was elected chairman after serving five years as vice-chairman.

Second, overall sewer system responsibilities have been redefined. The Commission's role is now focused on the design and construction of new projects. The Department of Public Works is now responsible for building connections, pipeline and pump station operation and maintenance, sewer user fees, etc.

In 1990, construction efforts shifted to residential neighborhoods in Chelmsford Center and South Chelmsford. With the completion of trunk interceptor sewers and main pumping stations in 1989, the Commission concentrated its efforts on extending lateral sewers to those residential areas identified by the wastewater facilities plan as having the greatest need for municipal sewers.

As part of the phased program approved by voters in 1989, the future areas to be sewer include neighborhoods with failing septic systems, septic systems which cannot be repaired due to poor soils and/or high groundwater, and those within the drinking water aquifer.

Construction was intense in the Kinsington Drive Area and the Golden Cove Road Area, to neighborhoods within the Aquifer Protection District. Contracts were awarded in 1990 for three lateral contracts in South Chelmsford to service the Old Stage Area, Farms II Area, and the Domenic Drive Area, areas with major septic system and soil problems.

Project Name	Contractor	Start/Finish	Bid Amount	% Complete
		Date		12/31/90
Kensington Drive Area DiGregorio Const. Co. (Contract 88-2)		6/89-7/91	\$2,590,606	87%
Golden Cove Road Area (Contract 88-3)	Albanese Bros., Inc.	11/89-6/91	\$868,051	94%
Old Stage Area (Contract 89-2)	Albanese Bros., Inc.	11/90-11/92	\$2,844,481	4%
Farms II Area (Contract 89-3)	Susi & DiMascio Co., Inc.	3/91-12/91	\$1,090,089	0%
Domenic Drive Area (Contract 89-4)	Tom Gioioso Const. Co.	12/90-6/92	\$1,680,184	6%

With the continued slowdown in the construction industry, the 1990 bid prices were 32% lower than the original estimates. These prices proved to be even more competitive than the 1989 prices which were 26% lower than the original estimates.

In June of 1990, the Commission received a 50% state grant for the Old Stage, Farms II, and Domenic Drive contracts and a 70% \$3.3 million in state grant funding for these projects. Beginning in 1991, the state will replace the current grant programs with a new revolving loan program. All aspects of this program, have not, as of yet, been finalized. The Commission is carefully reviewing all components of this program as it is being drafted. We remain commit-

ted to the maximization of all potentially available state and federal financial assistance.

In addition to final overlay paving in the Chelmsford Center Area, the other major sewer construction project in 1990 encompassed a private sewer extension on Littleton Road. This project, designed and constructed entirely with private monies, was granted limited flow in late 1990. Upon completion of building service connections, testing and final paving in 1991, additional connections and flow will be permitted.

It has been the unanimous position of the Chelmsford Sewer Commission that revenues collected from sewer betterment assessments and privilege fees should **only** be used for their originally intended purpose, to retire the debt of the sewer project bonds. We will continue to reiterate our position on this matter at future town meetings.

The Town Wide Drainage Facilities Plan draft report was completed in 1990. The Plan identified flooding areas and undersized culverts while recommending improvements for each identified problem. As part of the study, the town received updated aerial photography and topographic mapping on both hard copy and in computer media for use by the town engineer's office.

Residents are reminded that the Town By-Laws require connection to the public sewer within one year of the date the system in front of their property is approved for use.

APPOINTED TOWN OFFICIALS

TOWN MANAGER

Bernard F. Lynch

Appointed 9-11-89

DEPARTMENT OF PUBLIC WORKS

James Pearson, Director

Appointed 10-19-89

Highway Division

Michael Crory, Superintendent (Resigned 9-90)

Bob Lloyd, Foreman

Roy Costa, Foreman

Engineering Division

James Pearson, Town Engineer

Recreation Commission

Lorraine Murphy, Clerk

Public Buildings Division

Robert Deletetsky

Parks Division

Donald Gray, Superintendent (Retired 12-90)

Edward Jamros, Grounds Keeper

Sewer Division

James Casparro, Superintendent

FINANCE COMMITTEE

Appointed by Moderator

Brian R. Sullivan	9-92
Myra Silver	1-92
George Simonian	1-92
Edward Marshall	10-92
Cheryl Boss	11-93
Ann Graham	11-93
Dwight M. Hayward, Chairman	12-93
William Logan (Resigned 12-90)	
Donald Elias (Resigned 10-90)	
Clerk Susan Olsen	

FIRE CHIEF

Robert L. Hughes

Dep. Chief: James Sousa

Dep. Chief: Charles Galloway

POLICE CHIEF

Raymond McKeon

Dep. Chief: Pennryn Fitts (Retired 12-90)

Dep. Chief: James Greska

TOWN ACCOUNTANT

Lorraine Leone—Oct. 1990

(Replaced Ernest Day—retired August 1990)

TOWN ACCOUNTANT

FISCAL YEAR 1990—EXPENDITURES BY FUND

DEPARTMENT	GENERAL FUND	SPECIAL REVENUE	CAPITAL PROJECTS	TRUST & AGENCY	COMBINED TOTALS
GENERAL GOVERNMENT:					
Accounting	150,042				150,042
Assessors	234,894		0		234,894
Bills of Prior Years	0				0
Board of Appeals	6,449				6,449
Cable TV Commission	1,328				1,348
Charter Commission	0				0
Conservation Commission	23,098		30,813	0	53,911
Constable	295				295
Data Processing	15,301				15,301
Elections	24,824	5,754			30,578
Employee Benefits:					
Chapter 32B Insurance	908,598			801,143	1,709,741
County Retirement Assessment	1,450,701				1,450,701
Medicare Tax	49,537				49,537
Unemployment Compensation	77,466				77,466
Finance Committee	3,417				3,417
Historic District Commission	1,567				1,567
Historical Commission	1,263				1,263
Law	131,900				131,900
Liability Insurance	687,799	9,633			697,432
Medical—Retired Police/Fire	4,493				4,493
Mobile Home Rent Control	321				321
Moderator	320				320
NMAC Assessment	9,067				9,067
Personnel Board	561				561
Planning Board	23,602				23,602
Public Buildings	131,741		187		131,928
Registrars	37,132				37,132
Town Manager	150,734	51,743	64,086	0	266,563
Town Clerk	122,676				122,676
Town Reports	4,005				4,005
Treasurer	254,868				254,868
Total General Government	4,508,019	67,130	95,086	801,143	5,471,378
PUBLIC SAFETY:					
Dog Officer	27,708				27,708
Emergency Management	2,289				2,289
Fire	2,902,952		216,151		3,119,103
Insect Pest Control	6,227				6,227
Inspection	213,523				213,523
Police	2,689,943		38,566	787,385	3,515,894
Sealer Weights & Measures	2,195				2,195
Traffic & Safety Committee	13,597		1,751		15,348
Tree Warden	8,404				8,404
Total Public Safety	5,866,838	0	256,468	787,385	6,910,691
EDUCATION:					
Public Schools	20,986,627	2,184,074	407,406		23,578,107
Nashoba Regional Tech HS	600,812				600,812
Total Education	21,587,439	2,184,074	407,406	0	24,178,919
PUBLIC WORKS:					
Highway	1,600,280	100,163	322,648		2,023,091
Street Lighting	135,006				135,006
Town Engineer	99,960				99,960
Total Public Works	1,835,246	100,163	322,648	0	2,258,057
HEALTH & SANITATION					
Animal Inspector	1,400				1,400
Board of Health	182,254	5,981	46,740		234,975
Lowell Mental Health	8,695				8,695
Sewer Commission	254,749	578,797	6,975,610		7,809,156
Waste Collection	1,480,813				1,480,813
Total Health & Sanitation	1,927,911	584,778	7,022,350	0	9,535,039

HUMAN SERVICES:

Cemetery	219,848	0	14,000		233,848
Commission on Handicapped	285				285
Council on Aging	115,081	26,598	0		141,679
Elder Services of Mer. Valley	1,800				1,800
Sr. Citizen Center	0		1,254,639		1,254,639
Veterans Benefits	109,109				109,109
Total Human Services	446,123	26,598	1,268,639	0	1,741,360

CULTURE AND RECREATION:

Cultural Council	28	16,301			16,329
Holiday Decorating Comm.	250				250
Library	721,100	22,691	48,899	339	792,029
Memorial Day	1,000				1,000
Park	42,277				42,277
Recreation Commission	79,672	8,695	3,061		91,428
Town Celebration	1,151	0			1,151
Varney Playground	0				0
Total Culture & Recreation	845,478	47,687	50,960	339	944,464

MATURING DEBT & INTEREST:

Principal Payments	2,900,000				2,900,000
Interest Payments	1,729,731		332		1,730,063
Total Debt & Interest	4,629,731	0	332	0	4,630,063

STATE & COUNTY ASSESSMENTS:

County	32,741				32,741
State	154,126				154,126
Total Assessments	186,867	0	0	0	186,867
Total Expenditures	\$41,833,652	\$3,010,430	\$9,423,889	\$1,588,867	\$55,856,838

FISCAL YEAR 1990—REVENUE BY FUND

DEPARTMENT	GENERAL FUND	SPECIAL REVENUE	CAPITAL PROJECTS	TRUST & AGENCY	COMBINED TOTALS
Property Tax	26,892,673				26,892,673
Motor Vehicle Excise Tax	1,878,530				1,878,530
Farm Animal Excise Tax	402				402
Hotel-Motel Excise Tax	160,441				160,441
Interest—Property Taxes	165,194				165,194
Intergovernmental—State	10,069,817	1,080,934			11,150,751
Intergovernmental—Federal		989,382			989,382
Fees	106,958				106,958
Rentals	111,763				111,763
Departmental	411,732	2,268,550		851,599	3,531,881
Licenses and Permits	368,925				368,925
Fines and Forfeits	43,967				43,967
Investment Income	471,034	6,152		133,770	610,956
Lowell Regional Transit	27,626				27,626
Misc.	9,424				9,424
Total Revenue	40,718,486	4,345,018	0	985,369	46,048,873
OTHER FINANCING SOURCE:					
Bond Proceeds			8,983,823		8,983,823
Operating Transfers In	144,254	0	0	977,550	1,121,804
Operating Transfers Out	(977,550)	(36,297)		(107,957)	(1,121,804)
Total Other Finance Source	(833,296)	(36,297)	8,983,823	869,593	8,983,823
Total Revenue and Other Financing Source	39,885,190	4,308,721	8,983,823	1,854,962	55,032,696
Excess of Revenues Over Expenditures	(\$1,948,462)	\$1,298,291	(\$440,066)	\$266,095	(\$824,142)

TOWN OF CHELMSFORD, MASSACHUSETTS
COMBINED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
ALL GOVERNMENTAL FUND TYPES AND TRUST & AGENCY FUNDS
YEAR ENDED JUNE 30, 1990

					(COMBINED MEMORANDUM ONLY)
REVENUES:	GENERAL	SPECIAL REVENUE	CAPITAL PROJECTS	TRUST AND AGENCY	
Property Taxes	\$26,892,673	—	—	—	\$26,892,673
Intergovernmental	10,069,817	2,070,316	—	—	12,140,133
Motor Vehicle Excise Tax	1,878,530	—	—	—	1,878,530
Investment Income	471,034	6,152	—	133,770	610,956
Departmental	1,406,432	2,268,550	—	851,599	4,526,581
Total Revenues	40,718,486	4,345,018	—	985,369	46,048,873
EXPENDITURES:					
General Government	4,415,120	105,178	96,650	801,143	5,418,091
Public Safety	5,838,611	0	254,718	787,385	6,880,714
Education	21,587,439	2,184,076	407,046	—	24,178,921
Public Works	3,979,304	640,915	7,209,096	—	11,829,315
Human Services	418,339	32,580	1,286,795	—	1,737,714
Culture and Recreation	805,812	47,229	47,899	338	901,278
Maturing Debt and Interest	4,633,307	—	—	—	4,633,307
State and County Assessments	186,867	—	—	—	186,867
Total Expenditures	41,864,799	3,009,978	9,302,564	1,588,866	55,766,207
Excess (Deficiency) of Revenues Over Expenditures	(1,146,313)	1,335,040	(9,302,564)	(603,497)	(9,717,334)
OTHER FINANCING SOURCES (USES):					
Bond Proceeds	—	—	8,983,823	—	8,983,823
Operating Transfers In	144,254	0	—	977,550	1,121,804
Operating Transfers Out	(977,550)	(36,297)	—	(107,957)	(1,121,804)
Total Other Financing Sources (Uses)	(833,296)	(36,297)	8,983,823	869,593	8,983,823
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and Other Uses	(1,979,609)	1,298,743	(318,741)	266,096	(733,511)
Fund Balance at Beginning of Year	3,118,955	880,057	5,133,302	1,670,271	10,802,585
Fund Balance at End of Year	<u>\$1,139,346</u>	<u>\$2,178,800</u>	<u>\$4,814,561</u>	<u>\$1,936,367</u>	<u>\$10,069,074</u>

TOWN OF CHELMSFORD, MASSACHUSETTS
COMBINED BALANCE SHEET—ALL FUND TYPES AND ACCOUNT GROUP
JUNE 30, 1990

	GOVERNMENTAL FUND TYPES			FIDUCIARY FUND TYPE	ACCOUNT GROUP	TOTALS (MEMORAN- DUM) ONLY)
ASSETS:	GENERAL	SPECIAL REVENUE	CAPITAL PROJECTS	TRUST AND AGENCY	GENERAL LONG-TERM DEBT	
Cash and Temporary Investments	(\$3,346,048)	\$1,877,215	\$6,642,962	\$2,036,135	—	\$7,210,264
Property Taxes Receivable:						
Fiscal Year 1991	14,299,040	—	—	—	—	14,299,040
Fiscal Year 1990	2,167,711	—	—	—	—	2,167,711
Fiscal Year 1989	18,359	—	—	—	—	18,359
Accounts Receivable:						
Intergovernmental:						
Commonwealth of Mass.	5,112,914	329,968	1,132,412	—	—	6,575,294

Other Accounts Receivable:

Motor Vehicle Excise:						
Current Year	170,112	—	—	—	—	170,112
Prior Years	83,104	—	—	—	—	83,104
Farm Animal Excise	327	—	—	—	—	327
Tax Title	550,379	—	—	—	—	550,379
Departmental	7,058	—	—	47,124	—	54,182
DEF Tax CH59 CL41A	92,379	—	—	—	—	92,379
Tax Foreclosures	30,412	—	—	—	—	30,412
Due from (to) Other Funds	(4,900)	(3,987)	—	8,887	—	0
Amount to be Provided for Payment of Notes	—	—	8,442,823	—	—	8,442,823
Amount to be Provided for Retirement of General Long-Term Debt	—	—	—	—	18,160,000	18,160,000
Total Assets	<u>\$19,180,847</u>	<u>\$2,203,196</u>	<u>\$16,218,197</u>	<u>\$2,092,146</u>	<u>\$18,160,000</u>	<u>\$57,854,386</u>

LIABILITIES:

Accounts Payable	\$480,090	\$24,396	\$60,813	\$108,655	—	\$601,954
Payroll Withholdings	175,441	—	—	—	—	175,441
Other Liabilities	39,089	—	—	—	—	39,089
Deferred Revenue	17,544,902	—	—	47,124	—	17,592,026
Reserve for Abatements and Exemptions	73,979	—	—	—	—	73,979
Notes Payable	—	—	11,342,823	—	—	11,342,823
Bonds Payable	—	—	—	—	18,160,000	18,160,000
Total Liabilities	<u>18,041,501</u>	<u>24,396</u>	<u>11,403,636</u>	<u>155,779</u>	<u>18,160,000</u>	<u>47,785,312</u>

FUND EQUITY:

Reserved:						
Encumbrances	865,848	—	—	—	—	865,848
Appropriation Deficit	(414,097)	—	—	—	—	(414,097)
Over Assessments	(1,990)	—	—	—	—	(1,990)
Endowments	—	—	—	—	—	0
Unreserved:						
Designated	17,596	2,178,800	4,814,561	1,936,367	—	8,947,324
Undesignated	671,989	—	—	—	—	671,989
Total Fund Equity	<u>1,139,346</u>	<u>2,178,800</u>	<u>4,814,561</u>	<u>1,936,367</u>	<u>—</u>	<u>10,069,074</u>
Total Liabilities and Fund Equity	<u>\$19,180,847</u>	<u>\$2,203,196</u>	<u>\$16,218,197</u>	<u>\$2,092,146</u>	<u>\$18,160,000</u>	<u>\$57,854,386</u>

TOWN OF CHELMSFORD, MASSACHUSETTS
GENERAL FUND
SCHEDULE OF TAXES RECEIVABLE
YEAR ENDED JUNE 30, 1990

	UNCOLLECTED TAXES JULY 1, 1989	COMMITMENTS	LESS ABATEMENTS AND ADJUSTMENTS	LESS TRANSFERS TO TAX TITLE	LESS NET COLLECTIONS	UNCOLLECTED TAXES JUNE 30, 1990
Real Estate						
1991	\$0	\$14,299,040	\$0	\$0	\$0	\$14,299,040
1990	0	28,448,057	313,880	0	25,985,249	2,148,928
1989	1,360,565	0	182,896	374,116	789,886	13,667
	<u>\$1,360,565</u>	<u>\$42,747,097</u>	<u>\$496,776</u>	<u>\$374,116</u>	<u>\$26,775,135</u>	<u>\$16,461,635</u>

Personal Property

1990	0	464,689	2,344	0	443,562	18,783
1989	9,227	0	848	0	3,687	4,692
	<u>9,227</u>	<u>464,689</u>	<u>3,192</u>	<u>0</u>	<u>447,249</u>	<u>23,475</u>
	<u>\$1,369,792</u>	<u>\$43,211,786</u>	<u>\$499,968</u>	<u>\$374,116</u>	<u>\$27,222,384</u>	<u>\$16,485,110</u>

Motor Vehicle Excise

1990	0	1,500,206	70,315	0	1,259,779	170,112
1989	157,066	452,587	28,795	0	533,620	47,238
1988	66,897	52,496	7,650	0	75,877	35,866
1987	41,136	0	31,603	0	9,533	0
	<u>\$265,099</u>	<u>\$2,005,289</u>	<u>\$138,363</u>	<u>\$0</u>	<u>\$1,878,809</u>	<u>\$253,216</u>

Farm Animal Excise

1990	0	373	0	0	46	327
1989	0	356	0	0	356	0
	<u>\$0</u>	<u>\$729</u>	<u>\$0</u>	<u>\$0</u>	<u>\$402</u>	<u>\$327</u>

TOWN OF CHELMSFORD, MASSACHUSETTS
GENERAL FUND STATEMENT OF REVENUES, TRANSFERS, AVAILABLE FUNDS, EXPENDITURES
AND PRIOR YEARS' DEFICITS RAISED—BUDGET AND ACTUAL
YEAR ENDED JUNE 30, 1990

	ORIGINAL BUDGET	FINAL BUDGET	ACTUAL	VARIANCE FAVORABLE (UNEFAVORABLE)
REVENUES:				
Real and Personal Property Taxes	\$28,520,335	\$28,520,335	\$28,522,544	\$ 2,209
Motor Vehicle Excise Taxes	2,234,274	2,234,274	1,878,530	(355,744)
Intergovernmental	8,894,308	8,894,308	10,069,817	1,175,509
Investment Income	401,787	401,727	471,034	69,307
Departmental	1,273,999	1,273,999	1,406,387	132,388
Total Revenues	<u>41,324,643</u>	<u>41,324,643</u>	<u>42,248,312</u>	<u>1,023,669</u>
EXPENDITURES:				
General Government	4,329,507	4,559,759	4,403,757	156,002
Public Safety	5,643,148	5,893,148	5,829,044	64,104
Education	21,255,885	21,790,885	21,098,766	692,119
Public Works	3,661,519	3,765,269	3,951,086	(185,817)
Human Services	407,404	407,404	403,402	4,002
Culture and Recreation	816,178	816,178	800,015	16,163
Maturing Debt and Interest	4,985,800	4,985,800	4,629,731	356,069
State and County Assessments	184,877	184,877	186,867	(1,990)
Total Expenditures	<u>41,284,318</u>	<u>42,403,320</u>	<u>41,302,668</u>	<u>1,100,682</u>
Excess (Deficiency) of Revenues Over Expenditures	<u>40,325</u>	<u>(1,078,677)</u>	<u>1,045,644</u>	<u>2,124,321</u>
OTHER FINANCING SOURCES (USES):				
Transfer from Fund Balance	880,767	1,983,472	1,983,472	0
Operating Transfers In	85,000	101,297	101,297	0
Operating Transfers Out	(977,550)	(977,550)	(977,550)	0
Prior Year Deficits Raised	(28,542)	(28,542)	(28,542)	0
Total Other Financing Sources	<u>(40,325)</u>	<u>1,078,677</u>	<u>1,078,677</u>	<u>0</u>
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and Other Uses	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$2,124,321</u>	<u>\$2,124,321</u>

TOWN OF CHELMSFORD
TRUST AND INVESTMENT ACCOUNTS
JUNE 30, 1990

CASH AND INVESTMENTS:

In Custody of Treasurer	\$1,760,107
In Custody of Library Trustees	151,220
In Custody of Selectmen	1,157
In Custody of Veterans Emergency Fund Committee	14,998

IN CUSTODY OF TREASURER:

Geo. W. Barris-Varney Playground	\$ 6,513
Wright Reservation	28,755
Stabilization Fund	584,563
Insurance Sinking Fund	74,652
Educational Collaborative	1,054
Police Special Account	2,608
Group Ins. Claims Chap. 32B	412,124
Cemetery Funds:	
Geo. W. Barris Memorial	11,399
Perpetual Care	620,921
Adam Emerson	1,507
Christopher Roby	14,295
Vileata S. Douglas	266
Baptist Pond Cemetery	1,450
	<u>1,760,107</u>

IN CUSTODY OF LIBRARY TRUSTEES:

Amos F. Adams	38,473
Geo. W. Barris	326
Frances Clark	11,276
Clement Fund	38,255
Albert H. Davis	1,539
Frederick B. Edwards	5,244
Nathan B. Edwards	469
Victor E. Edwards	2,556
Adam Emerson	315
Ora Flint	2,015
George Memorial	3,964
Thomas P. Proctor	26,263
Serlina Richardson	841
Joseph E. Warren	359
Gertrude Wright	3,032
Aaron George-Cemetery Fund	3,634
Endowment Fund	12,659
	<u>151,220</u>

IN CUSTODY OF SELECTMEN:

Emma Gay-Varney Playground	<u>1,157</u>
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IN CUSTODY OF VETERANS:**EMERGENCY FUND COMMITTEE:**

Veterans Emergency Fund	14,998
	<u>\$1,927,482</u>
	<u><u>\$1,927,482</u></u>

TOWN OF CHELMSFORD, MASSACHUSETTS
SCHEDULE OF BONDS AND NOTES PAYABLE
YEAR ENDED JUNE 30, 1990

DESCRIPTION	DATE OF ISSUE	DATE OF MATURITY	INTEREST RATE	ORIGINAL PRINCIPAL AMOUNT	AMOUNT OUTSTANDING AT JUNE 30, 1989	ADDITIONS	RETIREMENTS	OUTSTANDING AT JUNE 30, 1990
Bonds:								
Byam School	07-15-69	07-15-89	6.00%	2,075,000	100,000	0	100,000	0
Sewer Plans Design	11-15-86	10-15-90	4.40%	860,000	360,000	0	250,000	110,000
Sewer Construction	01-15-88	01-15-98	6.80%	5,000,000	4,500,000	0	500,000	4,000,000
Sewer Construction	02-15-89	02-15-99	6.84%	8,000,000	8,000,000	0	800,000	7,200,000
Conservation Land Purchase	01-15-88	01-15-93	6.80%	860,000	685,000	0	175,000	510,000
Capital Improvements 1987	07-01-87	07-01-91	5.00%	2,295,000	1,720,000	0	575,000	1,145,000
Capital Improvements 1988	07-15-88	07-15-92	6.00%	2,000,000	2,000,000	0	500,000	1,500,000
Capital Improvements 1989	08-15-89	08-15-93	6.16%	1,710,000	0	1,710,000	0	1,710,000
Senior Citizen Center	08-15-89	08-15-93	6.16%	1,985,000	0	1,985,000	0	1,985,000
Total Bonds Payable					<u>17,365,000</u>	<u>3,695,000</u>	<u>2,900,000</u>	<u>18,160,000</u>
Bond Anticipation Notes:								
Sewer Construction	Various	Various	Various		3,346,000	3,700,000	0	7,046,000
Senior Citizen Center	Various	Various	Various		1,000,000	0	1,000,000	
Capital Improvements 1990	Various	Various	Various	0	0	1,396,823	0	1,396,823
Capital Improvements 1989	Various	Various	Various		1,711,575	0	1,711,575	0
Total BAN's Payable					<u>6,057,575</u>	<u>5,096,823</u>	<u>2,711,575</u>	<u>8,442,823</u>
Reimbursement Notes Payable:								
Sewer Construction (State)	09-14-89	07-30-90	6.60%		3,500,000	2,900,000	3,500,000	2,900,000
Highway Chap. 90 (State)	04-26-89	09-14-89	7.85%		120,000	0	120,000	0
Total Reimbursement Notes Payable					<u>3,620,000</u>	<u>2,900,000</u>	<u>3,620,000</u>	<u>2,900,000</u>
Total Debt Payable					<u>\$27,042,575</u>	<u>\$11,691,823</u>	<u>\$9,231,575</u>	<u>\$29,502,823</u>

OFFICE OF THE TREASURER-TAX COLLECTOR

DEPT. MEMBERS:

James R. Doukzewicz, Treasurer-Tax Collector/
Finance Director
Carol R. Lambert, Asst. Treasurer
Margaret M. Mullen, Dept. Asst. to Tax Collector
Lorraine D. Parkhurst, Payroll Coordinator
Bettie A. Osborne, Sr. Clerk-Accts. Payable/Receivable
Donna M. Rogers, Principal Clerk, Data Processing
Judith A. Olsson, Part-time, Legal Document Prep.

Dept. Notes:

Commercial property foreclosures highlighted the year. There was substantial revenues due from real estate taxes assessed to commercial taxpayers. Some banks have taken title back from some of the property owners, and tax revenues are going to come in during 1991 calendar year for most of our commercial property foreclosures.

Others are in Bankruptcy Court, and our tax liens can't be foreclosed until the Bankruptcy Court has finalized their proceedings.

I anticipate placing tax liens against all taxpayers who have not paid the tax assessed against their property IN FULL for the tax year ending June 30, 1990. Such a process will begin in early 1991. This should further enhance our revenue picture as this process usually brings in the unpaid tax dollars within six months.

Our largest commercial taxpayer has lagged behind in making tax payments, but he has paid his tax year 1990 balances in full at this time.

Revenues from excise taxes is down due to the sluggish economy. I do not anticipate an increase in this area of revenue for quite some time. We will be lucky if we realize receipts in 1991 of the same amount that we received in 1990.

Local aid through the Commonwealth of Massachusetts is still very much up-in-the-air. We hope to get the same amount of state aid as we received last fiscal year.

Sewer revenues are now coming in and will be used to offset the debt costs of the project, which were exempted from tax limits under prop. 2½. This should lead to a stabilizing of tax debts for our homeowners, and the recent annual increases in taxes due to the debt of the sewer construction project should be marginal ones in the next several tax years.

Staff work load has increased dramatically with the institution of the trash fee and quarterly tax billing. No increases in staff hours have been funded, making the peak periods horrendous, from an administrative and clerical point of view. Please be patient as cost effective measures are taken to reduce the costs associated with these areas of collection.

Amounts associated with fixed costs, such as pension benefits, medical insurance benefits, liability insurance, State and County Assessments, sewer flow fees for the City of Lowell and maintenance costs for Duck Island Treatment Plant are all areas that we have little or no control over in our budget. Efforts are being made to curb electricity and energy costs in our buildings and streetlighting programs.

Growth in new properties has slowed to a trickle, and this adversely affects the revenue picture as well.

The year 1990 saw many municipal service areas decreased in personnel size, and hours of operation were curtailed in some service areas as a result.

Citizen expectations for quality services in areas of education, road maintenance, trash collection, recycling, library programs, and senior citizen programs can only be satisfied with increased revenues. Old sources of annual revenue have been maximized in almost every area, but the shrinking economy has stagnated these sources or reduced their ability to fund municipal services to the extent that they used to do. Efforts to present sound reasoning and justification for overrides of prop. 2½ are underway at this time. Many budgetary people feel the Town can not perform its services and required tasks in the public safety areas and education areas without increased revenue sources. An override of prop. 2½ for various aspects of municipal operations could be the proposed solution to the Town's fiscal woes!

CHELMSFORD FIRE DEPARTMENT CALLS—1990

	A	B	M	MA	I	O	S	F	Monthly Calls
January	8	9	45	—	49	5	4	18	138
February	5	4	54	—	38	3	6	12	122
March	8	4	51	—	59	17	7	17	163
April	4	7	46	—	65	17	5	10	154
May	9	3	62	—	43	12	6	15	150
June	6	3	43	4	55	8	3	13	135
July	6	1	68	1	61	16	6	15	174
August	11	6	66	—	60	7	5	13	168
September	4	2	42	—	53	3	5	15	124
October	4	6	51	1	56	6	5	3	132
November	9	7	58	1	52	14	7	4	152
December	6	6	62	1	54	11	4	7	150
Totals	80	58	648	8	645	119	63	142	1,762

FIRE DEPARTMENT CODES

A—Auto Fire O—Outside Fire
 B—Building Fire S—Service Call
 M—Medical Assistance F—False Alarm
 I—Investigation

POLICE DEPARTMENT

I herein respectfully submit for your information and review the Annual Report of the Police Department for the year 1990.

At the present time, the department is made up of 50 permanent officers.

Chief of Police
 Raymond P. McKeon

Deputy Chief
 James C. Greska

Captains
 Armand J. Caron John J. Mack
 Phillip N. Molleur

Sergeants
 Steven Burns James F. Murphy
 Lance Cunningham John O. Walsh
 Raymond G. McCusker

Department Criminal Prosecutor—
Lowell District Court
 Sergeant Robert M. Burns

Criminal Bureau
Sergeant
 William R. McAllister

Inspectors
 James T. Finnegan Timothy F. O'Connor
 Brian F. Mullen Eugene W. Walsh

Drug/Alcohol Control Unit
Sergeant
 Francis X. Roark

Inspectors
 Jared S. Finnegan Roland E. Linstad

Community Services & Safety Officer
 Patrick W. Daley

Crime Prevention Officer
 Joseph R. Gamache

Juvenile Officer
 Kenneth R. Duane

Patrolmen
 Richard A. Adams James F. Midgley
 Edgar L. Auger Thomas A. Niemaszyk
 Paul E. Cooper John E. Redican
 Alan Cote Paul Richardson
 Bruce A. Darwin Chandler J. Robinson
 John J. Donovan E. Michael Rooney
 William J. Floyd, III Michael M. Stott
 Gail Hunter William S. Strobel
 Francis P. Kelly Francis Teehan
 Martin Krikorian Robert Trudel
 Russell H. Linstad Scott Ubele
 John C. McGeown Robert Villare
 Peter C. McGeown William R. Walsh
 Debra Metcalf Ernest R. Woessner, Jr.

Matrons

Tia Bevis	Mary Jo Fitton
Jo Cobleigh	Donna Fox
Barbara Ducharme	Karen Leonard
Patricia Ducharme	Dawn O'Donnell

Principal Clerks

Marie K. DiRocco	Karen M. Leonard
Jo-Ann E. Mollieur	

Senior Clerk

Mary Jane Grant

Civilian Dispatchers

Barbara Ducharme	Frederick Flynn
Brian Fernald	Frank Lane

Part-Time Civilian Dispatchers

Tia J. Bevis	William J. Floyd, Jr.
James C. Doherty	

RECEIPTS TURNED OVER TO TOWN

	1989	1990
Photocopying Machine	\$3,291.00	\$3,672.70
Firearms Permit	4,733.00	2,299.00
Bicycle Registrations	1.00	5.50
Firearms Identification Cards	356.00	382.00
Court Fines	245,882.50	189,749.50
Photographs	708.00	556.00
Police Details—Service Charge	43,191.07	38,388.46
False Alarms	9,625.00	5,025.00
Parking Fines	15,680.00	13,399.00
Restitution	6,065.00	990.00
Total Receipts returned to the Town	\$329,532.57	\$254,467.16

ARRESTS

	1989	1990
Crimes Against Persons	75	52
Crimes Against Property	189	196
Crimes Against Public Order	342	235

DISPOSITION OF CASES

	1989	1990
Fines	68	77
Placed on Probation	34	20
Suspended Sentence/Placed on File	12	16
Placed on File	73	7
Not Guilty Finding	3	6
Dismissed With Probable Cause	4	9
Court Costs & Continued Without A Finding	38	27
Committed to Youth Services Board	5	4
Committed to M.C.I. Cedar Junction	2	0
Committed to M.C.I. Concord	0	1
Committed to House of Correction, Billerica	16	25
Turned Over to Other Courts/P.D.'s	103	122
Cases Pending & Continued in Court	216	163
Placed in Alcohol Safety Program	20	23

MISCELLANEOUS STATISTICS

	1989	1990
Calls Answered by Cruisers	13,187	15,451
Summons Served	717	653
Licenses Suspended/Revoked	293	385
Accidents Reported	1,479	1,218
Personal Injury Accidents	273	239
Fatal Accidents	3	3
Mileage on Cruisers	475,416	503,518
Station Lockups	606	483
Citations Issued	4,545	3,221
Parking Violations	1,329	636
Doors/Windows Found Open	69	82
Protective Custody/Detoxification Unit	83	68
Restraining Orders Served	71	84

GEORGE L. HANNA AWARD

Three Chelmsford Police Officers were honored this past July when they won the State's highest award for heroism. In ceremonies at the State House in Boston, Governor Michael Dukakis presented the 1989 Annual Trooper George L. Hanna award to Officers John Redican, Michael Stott and Joseph R. Gamache for the bullet-riddled chase and capture, at the risk of their own lives, of all four gunmen, as well as the recovery of the entire \$300,000 taken in the shooting of a guard and armed robbery of a Wells Fargo Armored Truck in Chelmsford.

SERGEANT RETIRES

Sergeant Leslie "Buddy" Adams retired from the Police Department this past June following 41 years of police service with the Town.

CIVILIAN DISPATCHERS

With the appointments of Frederick F. Flynn and Brian Fernald this past year, the police department reached its total complement of four (4) full-time civilian dispatchers, in accordance with a previous town-union bargaining agreement.

POLICE STORAGE FACILITY

The police department expresses its sincerest appreciation to the 3245 Civil Engineering Squadron, U.S. Air Force, Hanscom Air Base, Bedford, Mass., for the building of a 20' x 30' police storage facility on the grounds of the station at no labor cost to the town.

POLICE DEPARTMENT LAY-OFFS

As a result of severe budgetary constraints, the police department was forced to lay-off three sworn police officers and one non-sworn clerk. Those layed-off were Officers Mark St. Hilaire, Daniel Houston, David MacKenzie and Clerk Donna Fox.

The efforts of this department served to generate the sum of \$254,467.16 which reverted back into the general fund of the Town.

I would like to express my sincerest appreciation to the Board of Selectmen, Town Manager and all town officials, departments, and committees for the excellent cooperation given to the Police Department and also congratulate all police and civilian personnel of this department for once again, maintaining their high performance standards.

AUXILIARY POLICE REPORT

This past year the Auxiliary continued to expand our training program for our officers. All Auxiliary Officers have been recertified in CPR (Cardio Pulmonary Resuscitation) First Aid and Firearms. This past year, Auxiliary Officers assisted the town at numerous events such as The John Carson Road Race, Memorial Day Parade, Flag Day Ceremonies, Middlesex County Kennel Club Dog Show, Town Clean Up Day, Chelmsford High School Graduation exercises, July 3rd festivities, July 4th Parade, Vietnam Veterans Day, Halloween, and Thanksgiving Football security for the schools.

Operation House Check was in operation on 296 nights. The statistics were: vacant house checks 4,100, school checks 12,800, town property checks, 18,860 for a total of 35,760. The men and women of the Auxiliary over the last year have donated to the town a total of 16,109 man hours performing their duties. The Auxiliary continues to sponsor the Explorer Scout Law Enforcement Post #370 and we assist them with training and planning their activities. The young men and women of the post have assisted the Auxiliary at every event and I would like to thank them for all their help over the past year. The Auxiliary Officers assisted the regular officers at numerous accident scenes and also assisted the department with the sewer construction details for traffic control.

The recent fiscal crisis in town has effected the Auxiliary as well and it is our hope that the Auxiliary Unit will remain intact. The men and women of the Unit are without question some of the most dedicated people I have ever had the pleasure of working with.

I would like to thank the members of the Auxiliary and their families for donating so much of their time to make Chelmsford a better place to live. I would like to thank the Board of Selectmen and the Town Manager for their support, the Chief and Deputy Chief and the Officers of the Police Department for their assistance and support over the past year,

Respectfully submitted,

Sergeant Raymond G. McCusker

Auxiliary Roster

Director—Sgt. Raymond C. McCusker
Chelmsford Police Department

Auxiliary Officers

John Bell
Joseph Eriksen
Charles Emerson
Eric Gordon
David Irvine
Michael Koenig
David Leo
Peter LoPilato
Kim Martin
Steven Manning

John Paton
Bradford Poole
Edward Quinn
James Quinn
Ralph Roscoe
Kevin Ross
John Roberts
Daniel McLarney
Erik Merrill
John Oczkowski

James Spinney
Timothy Swisser
Michael Taplin

William Vaughn
Craig Walsh

OFFICE OF THE DOG OFFICER

Report of the Dog Officer for 1990.

1. Citizen complaints answered	1,129
2. Dogs picked up and taken to pound	64
3. Violation citations issued	0
4. Value of citation fines	\$250.00
5. Funds turned into town for boarding and other fees collected	\$820.00
6. Dead animals picked up from streets	231
7. Stray dogs disposed of	39
8. Dogs returned to owners	25

Miles traveled	12,091
Number of dogs licensed	3,001
Animal bites reported	23

BOARD OF APPEALS

Members

Robert Kydd, Chairman
Gustave Fallgren, Vice Chairman
Daniel Burke, Clerk
Eileen Duffy
Harold Organ, Jr.

Alternates

Robert Scharn Karen Wharton Ronald Pare

Secretary

Marjorie Hennessy

Hearing Statistics:

	Total	Granted	Denied
Variances	39	32	7
Special Permits	34	24	10
Total	73	56	17

I would like to thank the Board for the time and effort put into re-drafting new rules and regulations that appellants would receive to instruct them on the procedure and materials needed for appearance before the Board of Appeals.

HISTORIC DISTRICT COMMISSION

Members: Harold J. Linnerud, Chairman
 Harold Davis - Vice Chairman
 Paul J. Canniff
 Richard O. Lahue
 John P. Richardson

Aternate: Robert LaPorte

Clerk: Mary E. Caffelle

Meetings: The first Monday of each month at the 1802 Schoolhouse. Special meetings when and where required.

During the past year the Historic District Commission accepted 25 applications for Certificates of Appropriateness. Public hearings were scheduled for 12 of these, to permit public input. The remaining 13 were deemed to have an insubstantial effect on the District. For these, hearings were waived and abutters were notified by mail.

These applications resulted in the issuance of 20 Certificates of Appropriateness and 5 Certificates of Non-Applicability or Hardship. No applications were denied.

The members of the Historic District Commission continue to work with property owners within the Historic District to protect and preserve the distinct character of the district.

CONSERVATION COMMISSION

Members	Responsibilities	Term Exp.
James H. McBride	Chairman	1992
David J. McLachlan	Clerk & Wetlands	1992
Karen G. Flynn	Wetlands	1992
W. Robert Greenwood	Wetlands	1991
Charles Galloway	Reservation Mgt.	1991
John D. Scott	Wetlands	1991
John Droscher	Wetlands	1993
Marjorie Hennessy	Secretary	

The Conservation Commission continues to keep as its primary goal the preservation of the natural and desirable aspects of the Town of Chelmsford.

The duties associated with the local administration of the Wetlands Protection Act easily absorb most of the time and effort of the Commission members. A total of twenty-five public hearings were held this year in accordance with Chapter 131, Section 40 of the Massachusetts General Laws. After careful review of each proposed plan, the Commission issued twenty-two Orders of Conditions, two were withdrawn and one is continued. Eleven hearings were also held for Determination of Applicability of the Wetlands Protection Act and nine Negative and two Positive Determinations were issued.

Community involvement in advising the Commission when wetlands transgressions begin to happen has been a tremendous help in assisting the Commission with the protection of the Town's wetland areas. Cooperation between Town Boards has enabled the Commission to inform a developer at the beginning stages of the development that a filing with the Commission would be necessary. This helps to avoid costly and unnecessary expenses on the part of the town and the developer.

We have up-graded The Deep Brook Reservation and re-named it The Bill Edge Deep Brook Reservation. A new parking lot has been constructed and a new sign has been installed. We wish the public to utilize the reservations in Town.

We are now in the engineering stages of converting the Crooked Spring Brook Reservation to be entirely accessible to the handicapped including all trails and fishing areas. This project will take approximately two years to finish.

COUNCIL ON AGING

Gone are the days when a Senior Center was just a meeting place for knitting and socials. Today's Center is an important and vital component of older living. Last year we:

- provided some type of medical care (blood pressure test, flu shots, podiatry and cholesterol clinics) for 1,100 residents
- presented medical, dental and legal lectures for over 1,500 people
- transported 385 people on nearly 5,000 trips to hospitals, doctors' offices, daycare centers, nutrition program and shopping
- worked with Elder Services of the Merrimack Valley to provide home care for 145 seniors
- assisted 65 families with Respite Care for 1,634 units of service
- provided 24,000 nutritious meals through the State's extended lunch program
- visited hundreds of shut-ins on a regular basis
- worked with the students of Chelmsford High School and the Thomas Jefferson Forum to present the Senior Olympics, Senior Day and a "Senior" Prom
- provided tax and fuel assistance for 261 residents
- delivered 12,000 meals to homebound elders through Meals on Wheels Program
- edited, printed and mailed our monthly newsletter to each of the 3,200 senior households
- developed an Alzheimer's Support Group for caregivers

And these are just some of the human services. We were also busy fundraising to pay for the additional costs associated with operating the new building. The seniors through our non-profit group, the Friends of the Senior

Center, Inc., are committed to paying \$3,000 each month to the Town. This money pays for heat, lights, and our part-time custodial staff.

Submitted by

Martin J. Walsh, Director
for the Chelmsford C.O.A.

Current COA Members

Annette Holtzman, Chairperson
Robert Clough, Vice Chairperson
C. Wilbur Davis
Gene Raby
Lois Manty
Verne Woodward
Franchon Larson
Jean Mark
Albert Leman
Mary Conti

Current Directors of the Friends

Donna Johnson, President
Helen Palmgren, Treasurer
Ann Bucciarelli, Clerk
Robert Clough
Howard Moore
Joseph McPhillips
Joseph Shanahan, Jr.
Annette Holtzman
Charles H. Holtzman

In 1990, 24 grant proposals were either partially or fully funded by the Cultural Council. Grant applications ranged from a documentary film and videotape exploring the roots of Irish traditional folk music, publication of the History of the Chelmsford/Carlisle cranberry bog and summer concerts and art festivals to the 300th anniversary celebration of the Chelmsford Garrison House.

Another facet of the Mass. Arts Lottery funding is P.A.S.S. (Performing Arts Students' Series). This program provides funds for the school-aged children (K-12) of the Town to attend performing arts events. Initiated in November, 1986, the program is increasing in popularity with both elementary and secondary teachers taking advantage of the funds to attend musical and theatrical events with their students.

The Chelmsford Cultural Council is also closely involved with the functioning of the Old Town Hall that serves as Chelmsford's Cultural Center. Town based organizations use the Hall for special events or for regular rehearsals and meetings.

Other accomplishments this year include: An Open Forum for Arts Lottery applicants to assist them in writing State grants; the Chelmsford Cultural Council brochure; participation at the Art Society's annual Art & Craft Show, the Earth Day celebration and a Statewide meeting of local councils in Harvard, Ma.

The Council hired a new Administrator, Pat Fitzpatrick. The resignation of Evelyn Newman was regrettably accepted. In 1991 the Cultural Council will sponsor a workshop entitled "Supporting the Arts: A Challenge for the 1990's." Because State funding has been cut, there will be only one funding cycle. Future projects include the installation of a sound system at the Old Town Hall.

CHELMSFORD CULTURAL COUNCIL

Members:

Joyce D. McKenzie	Chairperson
Bette Gagnon	Vice-Chairperson
Jeffrey Brem	Treasurer
Standra Stewich	Secretary
Karen Leonard	
Eleanor Bragdon	
Margrit Mason	
James Turcotte	
Edie Copenhaver	
Pat Fitzpatrick	Administrator

Meetings:

1st Monday of the Month
Twice a month during Arts Lottery reviews

The principal function of the Chelmsford Cultural Council is to administer funds allocated to the Town of Chelmsford by the Massachusetts Arts Lottery Council. Grant applications are available to non-profit cultural organizations for projects benefiting the Chelmsford community.

RECREATION COMMISSION

MEMBERS

Ron Zylich	Chairman
Robert Hayes	Vice Chairman
Michael Ablove	
Robert Charpentier	
Paul Murphy	
Evelyn Newman	
Dennis Sullivan	
Lorraine Murphy	Clerk

The Summer of 1990 was a great challenge to the Recreation Commission. Like all Town Departments, Recreation suffered from the budget crunch. Our budget was completely eliminated except for the salary of the part-time clerk. Our goal at that time was to maintain our Summer Program on a self-supporting basis.

Realizing the tremendous challenge, Recreation hired a very competent staff with Jon Aronie as our Interim Summer Director. This innovative, energetic, dedicated

young man, came up with a summer program, not only maintaining present programs, but introduced some new programs, all self supporting.

With the elimination of our budget, our limited appropriations to Sports Organizations, Patchwork, Community Band and Club 365 were discontinued.

In order to be self supporting, fees had to be doubled, and the residents in Chelmsford responded positively in spite of their pocketbooks.

Our Summer Programs included tennis lessons, swimming lessons, track and field, our playground program was replaced with a 6 week Day Camp. Added to these basic programs in 1990 we added a water adjustment program for 3 & 4 year olds, and an advanced tennis program for teenagers.

To facilitate the development of new youth sports camps, Recreation, in conjunction with Office of Community Education and the High School Athletic Office, implemented a standard policy under which not-for-profit summer sports camps receive the benefit of Recreation Commission sponsorship. In return for this sponsorship, a camp must pay a per child fee and submit a financial accounting. These camps include Field Hockey, Wrestling, Football, Girls Basketball, Varsity Basketball, Youth Soccer, and John Doherty Baseball Clinic. Tom Caito was our Camp Coordinator and did his usual fantastic job.

Our Annual Activities Fair has grown and is a convenient way for parents to register their children in the various programs and camps at one place. The cost of the Activities Fair is absorbed by a grant from CADAC (Community Alcohol and Drug Awareness Committee).

When the Jaycees decided to hold their road race on a date other than Fourth of July, Recreation stepped in and with the help of Walter Hedlund, Chairman of Celebrations Committee, financial support from Sully's Ice Cream, and help from a few local runners, preserved a long-standing Chelmsford tradition and organized the Fourth of July Road Race.

Recreation sponsored a Whiffleball Tournament proposed by Jim Duff to aid the Chelmsford High School Athletic Fund. This was held under the lights at Southwell Field, ten teams registered. This resulted in \$450 for the High School.

An interesting and very useful program for 1990 was the Workrecreation Volunteer Program. Young Chelmsford residents volunteered their time to helping in various areas. These youngsters helped in beach maintenance, checking residency at the beach, helped with the children in day camp. They did a terrific job and should be commended for their dedication.

Free billiards lessons were offered to Chelmsford youth for the month of August by Country Club USA of Chelmsford. This was enthusiastically accepted by 45 Chelmsford youth.

Club 365 had a successful two week day camp during August at the Freeman Lake complex. Club 365 is a year round activities club for children with special needs. Their summer day camp is integrated.

SOLID WASTE ADVISORY COMMITTEE

With the defeat of the trash override, a user fee for trash collection was instituted. The user fee had 2 parts:

- 1) **An Annual Bill:** All residences receiving town trash service received an annual bill which covered the fixed costs of administration and curbside collection of trash. This bill was \$74.00 in FY91 (\$70.00 for the annual fee plus \$4.00 for the 4 tags included with the bill).
- 2) **A Tag Fee:** Residents purchased sticky tags and attached one tag to each regular trash item put out for collection. The tags cost \$1.00 and covered the cost of disposal of the trash the tag was attached to.

The trash user fee did not include the costs for the 4 bulk collections and bulk disposal, the curbside recycling program, and the collection and composting of leaves in the fall.

Bulk collection was set up as a separate user fee that any 1-3 family household could use, even those contracting privately for weekly trash collection. Residents purchased a \$7.00 tag for each bulk item.

Recycling and leaf collections remained in the budget, available to all 1-3 family households. Laidlaw bought the recycling contract from Environmental Ideas/a Vining Company, effective January 1, 1991. The Solid Waste Advisory Committee looked into the feasibility of including multi-family housing complexes in the recycling program.

VETERANS' EMERGENCY FUND COMMITTEE

As Chairman of the Veterans' Emergency Fund Committee, I hereby submit our Forty-Third Annual Report to the Officers and Residents of the Town of Chelmsford.

The Fund, for the first time since its establishment in 1947, has reached a total of \$15,507.91. Our investments consist of a regular savings account, for easy access when funds are needed to assist a veteran, and two Certificates of Deposit, both earning at an annual yield of slightly more than eight percent. We have prepared a financial report which will also will appear in the Annual Town Report.

The financial records and bank books have been transferred to the custody of the Town Treasurer, a new requirement under the recently enacted Town Charter plan. We are most grateful for the kind assistance offered to the committee by the Treasurer and Assistant Treasurer.

It was not necessary to hold any committee meetings during 1990 since no applications for assistance were received. Veterans of World War II are given assistance in the form of material grants, such as rent, fuel and light, clothing and medical needs. Applications for assistance are first referred to the Town Veterans' Agent for an initial investigation to determine eligibility.

Present members; one from each voting precinct, are listed as follows:

Precinct 1: Russell E. Starck
 Precinct 2: Russell E. Butterfield
 Precinct 3: James J. Walker
 Precinct 4: John J. McNulty
 Precinct 5: George F. Waite
 Precinct 6: Alfred H. Coburn
 Precinct 7: Robert T. Clough
 Precinct 8: Thomas F. Balfrey
 Precinct 9: Lloyd C. Greene, Jr.

The Committee Members extend their appreciation to the various town officers, the Veteran's Agent and staff, and to other town employees who have helped the committee in the past.

VETERANS' EMERGENCY FUND

Treasurer's Report to the Board of Selectmen
 and the Town Manager
 January 1st, 1990 through December 31st, 1990

RECEIPTS AND DISBURSEMENTS

Balance on Hand as of January 1st, 1990:	\$14,456.33
Add Receipts:	
The Central Savings Bank, Lowell, Mass.	
Interest:	210.78
The Central Savings Bank, Lowell, Mass.	
Interest:	60.68
The Lowell Five Cent Savings Bank, Lowell, Mass.	
Interest:	510.65
The Comfed Savings Bank, Lowell, Mass.	
Interest:	269.47
Total Interest Received:	1,051.58
Add Transfer:	
From Comfed Savings Bank to Central Savings Bank:	4,663.75
Total Balance on Hand and Interest and Transfer:	20,171.66
Deduct Disbursements	
Transfer to Central Savings Bank from Comfed Savings Bank:	4,663.75
Balance on Hand as of December 31st, 1990	<u>15,507.91</u>

ASSETS

Central Savings Bank	
Account No. 128790	4,295.86
Central Savings Bank	
Account No. 2-30-205569	4,724.43
Lowell Five Cent Savings Bank	

Account No. 44-0007431	6,487.62
Total Assets	15,507.91
Total Liabilities	None
Total Assets, Less Liabilities as of December 31, 1990:	<u>\$15,507.91</u>

Respectfully yours,

Town of Chelmsford
 Veterans' Emergency Fund Committee,

Alfred H. Coburn, Treasurer

CHELMSFORD COMMISSION ON HANDICAPPED AFFAIRS

The Chelmsford Commission on Handicapped Affairs was established by the Board of Selectmen in the fall of 1986. The Commission is also associated with the State Office of Disabilities.

The purpose of the Commission as defined by our Charter is to "act as a centralizing force in the Town of Chelmsford which will deal with all handicapped issues," "to assure no qualified individual with a handicap in the Town of Chelmsford shall solely by reason of his or her handicap...be subjected to discrimination," and "to coordinate and carry out the programs of the State Office of Disabilities."

Our meetings are open to the public. They are held the second Thursday of each month at 7:30 p.m.

Paul Logan, Chairman

BOARD OF ASSESSORS

Diane M. Phillips, M.A.A., Chairman
 Ruth K. Delaney, M.A.A. Richard Tevlin
 Nancy L. Maher, Assistant to the Assessors

Marie Ronan, Principal Clerk
 Elaine McBride, Principal Clerk
 Elaine Meyers, Senior Clerk

Fiscal Year 1990 was a challenging one for the Assessor's Office. The town voted to go to quarterly bills, which increased our work load. Except for the printing of tax bills, all computer work is now being done in-house.

Due to the failing economy, requests for abatements increased over last year, and it looks as if the trend will continue for Fiscal Year 1991.

The assessors would like to thank the staff who worked hard to keep the office running efficiently.

Respectfully submitted,

Diane Phillips, M.A.A.
 Ruth Delaney, M.A.A.
 Richard Tevlin

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NOTES

NOTES



**BOARD OF SELECTMEN
TOWN OFFICES
50 BILLERICA ROAD
CHELMSFORD, MASS. 01824-2777**

CITIZENS ACTIVITY RECORD

"GOOD GOVERNMENT STARTS WITH YOU"

If you are interested in serving on an appointed town committee, please fill out this form and mail to: Town Manager, Town Offices, 50 Billerica Road, Chelmsford, MA 01824. The filling out of this form in no way assures appointment. All committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity.

NAME HOME PHONE BUSINESS PHONE

ADDRESS AMOUNT OF TIME AVAILABLE

INTEREST IN WHAT TOWN COMMITTEES

.....

PRESENT BUSINESS AFFILIATION AND WORK

.....

BUSINESS EXPERIENCE

.....

.....

EDUCATION OR SPECIAL TRAINING

.....

DATE APPOINTED TOWN OFFICES HELD TERM EXPIRED

.....

.....

.....

REMARKS

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.....

TOWN DIRECTORY

Accounting	250-5215
Assessors	250-5220
Board of Appeals	250-5247
(12:30-4:30 pm)	
Building Inspector	250-5225
(Yard Sales, Kennel & Bldg. Permits)	
Cemetery	250-5245
Community Teamwork	459-0551
Conservation Commission	250-5247
(12:30-4:30 pm)	
Council on Aging	256-0013
Dog Officer	256-0754
Fire Department	256-2541
All Other Fire Business	250-5265
Gas Inspector	250-5225
Health Department	250-5241
Highway Department	250-5270
Garage	250-5271
High School	251-8729
Housing Authority	256-7425
Libraries: Adams	256-5521
McKay	251-3212
Mass. Electric Co.	458-1431
Park Dept. Garage	256-5073
Planning Board Clerk	250-5231
Plumbing Inspector	250-5225
Police Department	256-2521
Post Office (Center)	256-2361
Recreation Commission	250-5262
(8:30 am-12:30 pm)	
Registry of Deeds (Lowell)	458-8474
Registry of Motor Vehicles	459-9397
School Administration	251-4981
Selectmen	250-5201
Sewer Commission	250-5233
Supt. of Public Bldgs	250-5249
Town Clerk	250-5205
Town Engineer	250-5228
Treasurer/Tax Collector	250-5210
Veterans' Agent	250-5238
Water Dept	256-2381
Welcome Wagon, Billerica	663-4030
Welfare, Lowell	454-8061
Wiring Inspector	250-5225
24-hr. Junior Hotline	1-800-792-5117

POLL LOCATIONS FOR ELECTIONS

Precinct 1: Town Offices Gym
 Precinct 2: Harrington School Gym
 Precinct 3: Harrington School Gym
 Precinct 4: Westlands School
 Precinct 5: Byam School Cafetorium
 Precinct 6: Westlands School
 Precinct 7: McCarthy Middle School
 Precinct 8: McCarthy Middle School
 Precinct 9: Town Offices Gym

U.S. Senator Edward M. Kennedy
 JFK Federal Bldg. Boston, MA 02202
 431 Russell Office Building
 Washington, DC 20510
 1 202-224-4543

U.S. Senator John F. Kerry
 10 Park Plaza
 Boston, MA 02116
 362 Russell Office Building
 Washington, DC 20510

Congressman Chester G. Atkins
 1429 Longworth House Bldg.
 Washington, D.C. 20515
 508-459-0101 (Lowell) Post Office

State Representative Carol Clevlen
 Room 36 State House
 Boston, Ma 02133 617-722-2552
 Home: 4 Arbutus Ave., Chelmsford
 508-256-5043

State Senator Lucile C. Hicks
 Room 413G State House
 Boston, MA 02133

Middlesex County Commissioners
 Superior Courthouse 494-4100
 East Cambridge, MA 02141